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VICISSITUDES OF FAMILIES

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VICISSITUDES OF FAMILIES.

Titles—their Fortunes and Fate.

"—— The jest at which fools laugh the loudest,
The downfall of our old nobility—
Which may forerun the ruin of a kingdom.
I've seen an idiot clap his hands and shout
To see a tower like yon stoop to its base
In headlong ruin; while the wise look'd round,
And fearful sought a distant stance to watch
What fragment of the fabric next should follow;
For when the turrets fall, the walls are tottering."

WALTER SCOTT.

"Miremur periisse homines? monumenta fatiscunt,
Mors etiam saxis, nominibusque venit."—AUSONIUS.

THE historic dignities in the English Peerage, which the general reader is most familiar with, and which afford the most remarkable instances of the mutabilities of fortune, are the Royal Dukedoms of Clarence, Cambridge, Gloucester, and York, and the old and illustrious titles of Warwick, Salisbury, Norfolk, Shrewsbury, Northumberland, Westmoreland, Devon, Clifford, Pembroke, Dorset, Kent, Oxford, March, Bedford, Somerset, Leicester, Buckingham, Essex, and Huntingdon. Of these, Norfolk, Shrewsbury, Bedford, Devon, Somerset,

and Huntingdon derive their chief historical pre-eminence from the families of the present actual possessors; but the glory of Warwick, Pembroke, March, Salisbury, Westmoreland, Leicester, Buckingham, and Essex must be mainly attributed to the earlier wearers of those brilliant coronets. Dorset, York, Oxford, Gloucester, Monmouth, Clarence, and Sussex are all extinct or attainted, and at present do not give designations to any existing peers. There are seven of our titles taken from places which were never, like Tankerville, or other Norman baronies, incorporated with the dominions of our monarchs. Of these, I cannot account for the introduction of Amiens. Lovaine has been chosen in memory of the descent of the ancient Percies from the Dukes of Lovaine and Counts of Brabant, from whose ancient city of Lovaine, now Louvain, their ancestor was surnamed De Lovaine, before he wedded the richly portioned heiress of Percy. All the other foreign places which figure on our rolls of titles have been the scenes of martial achievements. Mahon commemorates the gallant capture of Port Mahon, and with it the conquest of Minorca, in 1708, by James, first Earl Stanhope. It is unnecessary to remind my readers whence Wellington got the title of Douro, or what claim Jervis, Nelson, and Duncan have to St, Vincent, Trafalgar, or Camperdown.

Under the Tudors, and during the latter times of the Plantagenets, the House of Lords did not comprise more than from fifty to sixty peers. Courtenay, Howard, and Percy—(Devon, Norfolk, and Northumberland)—were all restored by Queen Mary, who made besides six new creations—the Viscounty of Montagu and the Baronies of North of Kirthling, Howard of Effingham, Williams of

Thame, Chandos of Sudeley, and Hastings of Loughborough. At the death of Queen Elizabeth the number of the Peers was about sixty, composed of nineteen Earls, one Viscount, and some forty Barons, nearly forty of which titles have since perished. "Queen Elizabeth," says Mr. Hannay, in his "Essays," "was remarkable for keeping the fountain of honour locked up, and the key in her royal pocket." Many of the dignities she did confer were honourably bestowed. Her kinsman, Sackville, the statesman, the scholar, and the poet, was made a peer; so was Cecil, the ablest of ministers; and so was Compton, the head of a great feudal family, and the possessor of so vast an estate that, it is said, if it remained undiminished in the present day in the hands of his representative, it would be the greatest in the kingdom.

Elizabeth's successor, James I., has, on the contrary, been blamed for his lavish profusion of honours, and a charge brought against him, with too much truth, I fear, of venality in their disposal. Still, however, many a well-known coronet was added by the first English monarch of the Stuarts, especially those of Leicester (Sydney), Suffolk, Wallingford, Spencer (Sunderland), Denbigh, Bridgewater, Devonshire, Petre, Gerrard, Denny, and Arundel of Wardour. Charles I. raised to Earldoms several Viscounts and Barons, thus giving to the Peerage Roll, among others, the titles of Berkshire, Danby, Manchester, Stamford, Winchilsea, Banbury, Norwich, Peterborough, Chesterfield, Strafford, and Sunderland. He made also many new peers, generally selected from the most ancient and best descended of the gentry, such as the Savages of Rocksavage, the Tuftons of Tufton, the

Brudenells of Leicestershire, the Belasyses of Yorkshire, the Lovelaces of Berkshire, the Pierreponts, of Nottinghamshire, the Gorings of Sussex, and the Byrons of Rochdale. Several of Charles the Second's new creations were of good old English stock, and some, of families which had become enriched or advanced by commerce, professional services, or prosperous alliances. Perhaps the best born was the great-grandson of "Belted Will Howard," by the great heiress of the Dacres of the North,—Charles Howard, whom the King made Baron Dacre of Gillesland, Viscount Howard of Morpeth, and Earl of Carlisle. To the Merry Monarch we owed also the coronets of Cornwallis, Langdale, Halifax, Clifford, of Chudleigh, Dartmouth, &c. JAMES II., in the four troubled years of his reign, restored the Viscounty of Stafford—the most unjustly attainted of titles; made Catherine Sidley, Countess of Dorchester for life; created the Dukedom of Berwick (afterwards so celebrated in European warfare), and added five new Baronies—all of which are extinct, save Churchill, conferred on the great general, and Waldegrave, still enjoyed by the representative of that ancient house. It was also from James II. that the Radclyffes derived their luckless title of Derwentwater, and the Herberts, their Marquessate of Powis. WILLIAM III. raised to the peerage twenty-one personages, including his Dutch favourites, Bentinck, Keppel, Nassau, Schomberg, and Auverquerque; and several of the leading Whig families, such as Lowther, Somers, Vane, Fermor, and Ashburnham, the last quaintly designated by Old Fuller as of "stupendous antiquity;" in this reign also each of the three great Whig lords, Bedford, Devonshire, and Carmarthen received a Ducal Coronet.

Among Queen Anne's new creations were the well-born and well-endowed Granvilles, Pelhams, Cowpers, Harcourts, Harleys, Herveys, Leveson-Gowers, Willoughbys, Bathursts, and St. Johns. At the commencement of the eighteenth century, the House of Peers reckoned but a hundred and seventy members, of which nearly one half has passed away. In GEORGE the First's time a less regard began to be paid to birth or hereditary pretension; the political and legal elements predominating. Still in this reign originated the Baronies of Cobham, Coningsby, Romney, Onslow, Cadogan, and Walpole, and the Viscounties of Torrington and Falmouth. Forty is about the number of GEORGE II.'s peers: but such had been the decay amongst old titles that neither this increase nor that of his predecessor did more than barely counterbalance extinctions, and left the House much in the same position as they found it. Lawyers and statesmen were duly honoured by the house of Hanover; and the second George chose from the bench no less than five peers, Raymond, Hardwicke, Talbot, Mansfield, and Henley. The present Earldom of Northumberland, the present Earldom of Fitzwilliam, and the late Earldom of Egremont, three very influential titles, were George II.'s creations.

The same moderate and discriminating selection marked the first twenty-four years of the reign of GEORGE III., and chose for additions to the peerage the great Commoners, Grosvenor of Eaton, Curzon of Kedleston, Eliot of Port Eliot, Vernon of Sudbury, and Bagot of Blithfield. After 1784 a new era, however, commenced in peerage annals. Political purposes, and the consequent lavish bestowal of the highest honours of

the Crown, increased the roll of the Lords to such an extent, that at the death of GEORGE IV., new peerages, to the number of two hundred and thirty-five, had been added. WILLIAM IV. raised the Marquesses of Stafford and Cleveland to the rank of Dukes, and gave Earldoms to Col. Fitz-Clarence, Lord George Cavendish, and Mr. Lambton, of Durham, besides elevating to the same grade several peers of lesser degree. He also created one Viscounty, of the United Kingdom, Canterbury, and a goodly array of baronies. Among her present Majesty's creations, in the Peerages of the United Kingdom and of Ireland, occur warriors, statesmen, and lawyers of great eminence, besides several good old county families, such as Coke of Norfolk, Wrottesley of Staffordshire, Methuen of Wilts, Egerton of Tatton; French of French Park; Morgan, of Tredegar; Fortescue, of Louth; Somerville of Meath; O'Neill, of Shane's Castle; Joliffe of Hylton Castle; Heathcote of Normanton, and Yarde Buller of Devon; and two Peers, Macaulay and Lytton, for ever illustrious in literature. Her Majesty has also added a second Dukedom to the Irish Peerage, by the elevation of the heir male of the House of Hamilton to the Dukedom of Abercorn. Of these creations of the existing and the late Sovereign, eleven have already become extinct, namely, Colborne, Dinorben, Sydenham, Langdale, Western, Milford, Beauvale, Macaulay, Kingsdown, Wensleydale, and Cranworth; the Earldom of Burlington, has merged in the Dukedom of Devonshire, the Barony of Panmure in the Earldom of Dalhousie, and the Barony of Godolphin in the Dukedom of Leeds.

It may be remarked as a curious fact the recent

disappearance from the House of Peers of so many Law Lords. Within a very short period, the familiar titles of Lydhurst, Brougham, Kingsdown, Wensleydale, and Cranworth, so constantly and so usefully before the public, have all passed away by extinction. In the case of Lord Brougham, the original creation has expired, though a second patent still perpetuates the name.

It would be manifestly impossible, in my limited space, to make an analysis of the vicissitudes of the various titles which have been created in the peerage. Suffice it to indicate a few of the more remarkable instances:—

THE DUKEDOM OF CLARENCE, four times conferred, never passed to an heir: it was enjoyed by three Princes of the Royal House of Plantagenet, and by one of the Royal House of Guelph. The first possessor was LIONEL PLANTAGENET, Edward the Third's son, through whose only daughter the house of York derived its right to the Crown. The second was Thomas Plantagenet, Henry the Fifth's brother, who was slain at Beaugé, by Sir John Swinton—

> "And Swinton placed the lance in rest,
> That humbled erst the sparkling crest
> Of Clarence's Plantagenet."

And the third was George Plantagenet, K.G., "false, fleeting, perjured Clarence," King Edward IV.'s brother, drowned, according to tradition, in a butt of malmsey. His son, Prince Edward, Earl of Warwick, the last male Plantagenet, was beheaded on Tower Hill, in 1499.

With him the White Rose withered and died. The attempts of Perkin Warbeck and Lambert Simnel caused Henry VII. to apprehend that he could never be assured of his Crown while one leaf of the tree of York flourished. Though the adherents of that race of heroes were silent and sorrowing, they were still brooding, watchful, and valiant, and thus it was, that it became the selfish policy of the Tudor King to destroy the poor innocent Prince.

From the death of George Plantagenet, in 1477, more than three centuries elapsed before the title of Clarence was again used; in was then (1789) conferred by King George III. on his third son, afterwards King William IV.

The Dukedom of Cornwall was made a royal title by King Edward III., in favour of his eldest son, Edward, the Black Prince, with limitation to the first born ("*filiis primogenitis*") of the said Prince and of his heirs, Kings of England, in hereditary succession. Under this limitation, Richard, the Black Prince's son, did not succeed to the Dukedom of Cornwall; and, in the time of Henry VII., on the death of that Monarch's first born son ("primogenitus") Arthur, Prince of Wales, a question arose as to whether the King's next son, Prince Henry, took the title as a matter of right. It was then answered affirmatively but in the 3rd year of James I., Lord Chancellor Ellesmere and Coke, Fleming, and Williams, the judges, who consulted with him, decided otherwise. They held "that he who should inherit the Dukedom of Cornwall ought to be the first begotten son of the heirs of the Black Prince, be he heir general or collateral, but such heir ought to be King of England." But in 1613, this ruling

was, after a solemn inquiry before the King and Council set aside, and a resolution passed, that the words of limitation possessed the more extended meaning of *filius primogenitus existens.* There have been six Dukes of Cornwall, who have not been Princes of Wales: three of these were infants when they died; the others were Henry of Windsor, afterwards Henry V., Edward Tudor, afterwards Edward VI., and James Francis Edward, son and heir apparent of James II.

The title of CAMBRIDGE suffered many a vicissitude. Although nine times created, it always, it may be said, kept royal company, and frequently shared royal misfortune, for Hamilton was no exception to its royalty, James, Duke of Chatelherault, Earl of Arran (grandfather of James, second Marquess of Hamilton, and first Earl of Cambridge), having been declared heir presumptive to the Crown of Scotland.

As an Earldom, it was first conferred by Edward III. on his brother-in-law, William Duc de Juliers, and subsequently by the same monarch on his fifth son, Edmond of Langley. After the Plantagenets, the Scotch Marquesses of Hamilton enjoyed the title; but in the time of Charles II. it again became unquestionably Royal. Henry of Oaklands, brother of the King, when made Duke of Gloucester, had the Earldom of Cambridge as his second honour. As a Dukedom, it was first conferred in succession on the four infant children of James, Duke of York, afterwards James II.; but they all died in infancy, and the title remained unappropriated until conferred, by Queen Anne, on George, Elector of Hanover, and *the heirs male of his body.*

This creation raises in my mind a curious genealogical question. At the accession of George I., the dignity became vested in the Crown ; but it seems a very doubtful point whether, at the death of King William IV., the Dukedom did not devolve on the Duke of Cumberand, he becoming then *heir male* of the body of the original grantee The fact of the same title having been since bestowed on another cannot affect the right of the original heir, for it is not uncommon to see two or more peerages of the same name co-existent. The argument against the Duke of Cumberland's (Ex-King of Hanover's) right, would be that if a dignity once vested in the Crown, the claim of the heir, under the patent by which it was first created, was thereby extinguished; but it is not at all certain that such an objection would be tenable. The case is a singular, and, I believe, an unprecedented one.

The Dukedom of Gloucester seems to have been associated in early times with a peculiar doom, the first five possessors of the title having met with violent deaths. Thomas of Woodstock, sixth son of King Edward III., was the first who ever bore the title; and the last Plantagenet who held it was "crooked-back" Richard, afterwards King of England. It was again revived in the person of a Royal Prince, when Henry Stuart, youngest son of King Charles I., received the honour, and it was borne (though no patent passed the seal) by Prince William, son of George and Anne, Prince and Princess of Denmark. Once again, and for the last time, the Dukedom of Gloucester was conferred on Prince William Henry, younger brother of King George III.

In the time of the Plantagenets, Tudors, and Stuarts, YORK conferred the title of Duke on eight Royal Princes; two of them were killed in battle, one was murdered, and four became Kings of England; one of whom was beheaded, and another exiled. It was given originally to Edmund of Langley, and borne successively by his descendants until it vested in the Crown on the accession of Edward IV., by whom it was bestowed on his second son, one of the ill-fated children said to have been smothered in the Tower.

Henry VIII., Charles I., and James II., each bore this title, and George I. gave it to his brother, Ernest Augustus, who died without issue in 1728; and once again it was resorted to under George III., when His Majesty assigned it to his brother, Prince Edward Augustus, and afterwards to his second son, Prince Frederick, who died, heir presumptive to the throne, in 1827.

KENT, rendered famous as an Earldom by the Plantagenets, the Hollands, and the Greys, and associated with all the varying fortunes of those gallant races, was only twice conferred, as a Dukedom, once on Henry Grey, Marquess of Kent, and once on Prince EDWARD fourth son of King George III., and father of Her Most Gracious Majesty. This second creation of the Dukedom of Kent occurred in 1799, at an auspicious moment—just after that repulse of Bonaparte at Acre by Sir Sidney Smith, which brought the earliest dawn of our future glory over the then darkness of the struggle with France. It was indeed a title big with destiny. It came with the first gleam of victory, and the greatest

was behind. The Duke died, no son of his succeeding, but he bequeathed an inestimable boon to the nation—a reign of brightness and a race of princes, on which England now rests her hope, her fondness, and her pride.

In filial love, the popular title of Kent has been selected by Her Majesty for the Earldom of His Royal Highness the Duke of Edinburgh.

A chaplet of laurel and of cypress twines round the Coronet of WARWICK. Tradition, History, and Romance claim it each for its own. Enthroned when Henry de Beauchamp, Duke of Warwick, was crowned King of the Isle of Wight by Henry the Sixth's own hand, it was rendered most illustrious by Richard Neville, the stout Earl of Warwick, who, though, no King himself, made others Kings; and most tragic when Edward, Earl of Warwick, the last male descendant of the House of Plantagenet, the innocent victim of royal suspicion, was ruthlessly murdered. The story of the Earldom, while held by the Dudleys, fills a romantic chapter in Peerage annals, and has served as materials for the novelist and the poet. Thus, for nearly three centuries and a half, the grand old Earldom of Warwick was associated with the achievements of the Beauchamps, the Nevilles, the Plantagenets, and the Dudleys. Its next appearance was its decadence: in 1618, James I. conferred, without rhyme or reason, this most historic of titles on Robert, Lord Rich, whose immediate ancestor, at the very time Henry de Beauchamp was being crowned King of the Isle of Wight, was making a fortune as a mercer in the city of London! At the extinction, how-

ever, of the Riches in 1759, justice was in some measure done to the rights of birth: the Earldom of Warwick was then given to the Grevilles, in whom flowed a good deal of the old Beauchamp blood, and in whom had vested Warwick Castle and its dependencies, ever since the Dudleys forfeited that fine inheritance.

Warwick's kindred Earldom of SALISBURY passed through four families before it was conferred on the ancestor of its present holder—all famous in the days of chivalry—Devereux, Montacute, Neville, and Plantagenet. The last inheritrix was Margaret Plantagenet, whose tragic story will be told in another chapter. There were eleven Earls of Salisbury before her time, and of them four were slain in battle, two beheaded, and one murdered. After these stormy times, nearly a century elapsed before the Earldom of Salisbury was again conferred, and then it was given by James I. to the youngest son of the famous Lord Burleigh. This, the first Earl of Salisbury, of the house of Cecil, was himself a distinguished statesman, and attained to the highest honour; but he seems to have derived little happiness from his earthly advancement. In his last illness, he was heard to say to Sir Walter Cope, "Ease and pleasure quake to hear of death, but my life, full of cares and miseries, desireth to be dissolved." He had some years previously (1603) addressed a letter to Sir James Harington, the poet, in pretty much the same tone. "Good Knight," saith the minister, "rest content, and give heed to one that hath sorrowed in the bright lustre of a court, and gone heavily on even the best-seeming fair ground. 'Tis a great task to prove one's honesty and yet not

mar one's fortune. You have tasted a little thereof in our blessed Queen's time, who was more than a man, and, in truth, sometimes less than a woman. I wish I waited now in your presence-chamber, with ease at my food and rest in my bed. I am pushed from the shore of comfort, and know not where the winds and waves of a court will bear me. I know it bringeth little comfort on earth; and he is, I reckon, no wise man that looketh this way to heaven."

SHREWSBURY, the first English Earldom, after Arundel, which has merged in the Dukedom of Norfolk, dates from 1442, and is inherited by the present Lord from his direct ancestor, the gallant Talbot, "the great Alcides of the field," than whom "a stouter champion never handled sword." How marvel, romance, and mystery were brought out in the late great Shrewsbury case! For two hundred years the Earldom never descended from father to son, and, at the death of the late youthful Earl Bertram, his male heir was found in the descendant of a branch that had separated from the parent stem at the time of the wars of the Roses! In the course of the proceedings, a senior line was traced down to a Talbot, who was living in obscurity in St. Anne's, Soho, and whose representative, had his family not passed away in poverty and oblivion, would have been the senior Earl of England. Also came in proof, the partially effaced tomb at Bromsgrove of Sir John Talbot, recording the existence of those two sons whose disappearance somewhat resembled that of the Princes in the Tower. One of these was said (but without any evidence of the fact) to have wandered into and to have

founded a Talbot branch in Ireland. Then there were the Talbots who died abroad soldiers of fortune: they might have had issue, but there was sign of none. The obscurity of a legend hung on all but the line of the present Earl.

DERBY, the next in precedence, has, since the Stanleys' acquisition of the Earldom, been transmitted down in an unchequered course, and through a race of distinguished nobles over a space of nearly four hundred years—a remarkable exception to the changeful career of other titles of equal antiquity and eminence. At this moment it is still held by a Stanley, whom history hereafter will probably regard as the greatest of his name.

"The motto, *sans changer*, used for so many centuries by the elder line of the noble house of Stanley, seems to have been adopted in a prophetic spirit. Invariably honourable, just, bounteous, hospitable, valiant, and magnificent; above all, invariably loyal; that family may perhaps safely challenge history and tradition to show one defective link in its long chain of succession, to point out a single stain on the purity of its public conduct, or on its uniform exercise of the mild and graceful duties of private life."*

THE BARONY OF DUDLEY, created more than five centuries ago, has had many ups and downs in the course of its long career, and now rests in abeyance, partly, in two obscure nooks of England. The family of Sutton, who acquired Dudley Manor and Castle by marriage with

* Edmund Lodge.

the heiress of De Somerie, was ennobled *temp.* Edward III., and the barony thus acquired, eventually passed, *temp.* Charles II., through an heiress, Frances, Baroness Dudley, wife of Sir Humble Ward, to the Ward family. Having remained with them for a century or more, it became vested in the Leas, of Halesowen Grange, and on the death, in 1757, of Ferdinando Dudley Lea, fourteenth Baron, it fell into abeyance amongst his Lordship's sisters. One of these sisters, Frances, became the wife of Walter Woodcock, Esq., "Justice Woodcock," as he was called, to whose descendants Dame Fortune has been most chary in the distribution of her favours. Their daughter, Anne, became the wife of William Wilmot; and another daughter, Mary, was married to Benjamin Smart. Some twenty years ago, the traveller on the Dudley road, on reaching the toll-gate of Cooper's Bank, and depositing the usual fees of the pike in the hands of that inflexible personage, the toll-bar-keeper, little dreamt that the poor man following this lowly occupation was next brother of one of the coheirs of the Barony of Dudley! But so it was: George Wilmot, the toll-bar-keeper of Cooper's Bank, was a descendant of the very Lords Dudley whose proud castle towered in the distance; and when he died, on Christmas Day, 1846, his remains were borne from the turnpike gate to Dudley, and deposited by the ashes of his kindred. One nephew, Daniel Sinclair Wilmot, filled the office of second clerk of the Customs at Bristol, and another, John K. Wilmot (son of the eldest brother, Pynson), at this moment one of the CO-HEIRS OF THE BARONY OF DUDLEY, is residing in a humble station at No. 1, Cleveland Grove, Mile End.

At Oatenfields Farm, Halesowen, in Worcestershire, another and a senior co-heir of the Barony resides—Joseph Smart, a worthy tenant farmer under his cousin Mr. Ferdinando Dudley Lea Smith, of Halesowen Grange; and at the town of Halesowen, his only brother, Robert Smart, carries on the business and trade of grazier and butcher.

Mr. Joseph Smart has in his possession an ancient and curious family record, tracing his descent from the old Lords Dudley, and setting forth his royal line through the Suttons, the Seymours, the Greys, and the Brandons from Henry VII. and Elizabeth of York. After which comes the following curious inventory:—"An account of jewels and gold rings in the possession of Walter Woodcock, Esq., in an oak chest at Dovehouse Fields, in the parish of Salop: 1. a mourning ring, with inscription engraved within it, 'Edward Lord Dudley Ward obt. 6 Sept. 1731, aged 27;' also three gold earrings, apparently diamonds; another gold ring with large diamonds, supposed to have been his said lordship's grandmother's, and by her given to her daughter, Frances Ward, who married with William Lea, of the Grange, Hales Owen, by whom she had issue;" and then follows the genealogy of her descendants to the present day.

Where can we find a more striking contrast than this mournful tale of the Barony of Dudley? The history of that famous title would, in its first chapter, speak of chivalry, warlike achievement, and magnificent hospitality in the ancient castle from which the Barony took its name. The last chapter would tell the story of the Halesowen farmer, the custom-house clerk, and

the toll-bar-keeper, all resident within range of that very castle.

One of the most extraordinary Peerage Patents on the rolls is that creating the Hon. Sir John Talbot, BARON L'ISLE, of Kingston L'Isle, county Berks, in 1444. By it the dignity was limited to John Talbot and his heirs and assigns for ever, *being tenants of the manor of Kingston L'Isle.* In course of time, this manor of Kingston L'Isle passed by sale to Abraham Atkins, Esq., of Clapham; and, in 1790, that gentleman, under the impression that being "tenant of the Manor of Kingston L'Isle," and assignee of John Talbot, Viscount L'Isle, he had a right under the terms of the Talbot patent, to be summoned as a Baron to Parliament, had his Case prepared, but did not, as far as I can ascertain, take any further proceeding. My interpretation of the limitation of the patent is, that it meant simply that so soon as John Talbot, or his heirs quitted the seigniory of the Manor of Kingston L'Isle, the Parliamentary Barony was at an end, and could not have passed by sale to a stranger in blood.

PEERAGE CLAIMS are replete with curious and interesting revelations, and contain the story of many a Peerage vicissitude. Even within the last half century, the chance perusal of an old patent by an antiquarian barrister, and the casual meeting of the ordnance storekeeper at Enniskillen with a shrewd Irish attorney, restored to the roll of the Lords two of its oldest and most historic titles, DEVON and HUNTINGDON.

The earliest case of the discussion in the House of

Lords of a CLAIM TO A PEERAGE occurred in the eleventh year of the reign of Henry VI. But the right to such titles as were not annexed to manorial or other possessions was formerly determined before the Lord High Constable and Earl Marshal, not according to the rules of common law, but by the regulations and customs of chivalry. From the decision of this court an appeal lay to the Crown; but on the abolition of the office of High Constable, it became the practice to submit the claims at once to the Sovereign, which course was first adopted about the time of Henry VIII. In the reign of his successor, commissioners were appointed to decide the claims to peerages; but the practice of referring them to the House of Lords (as in the time of Henry VI.) being again adopted, it was afterwards generally followed; and since the reign of Charles I. the House of Peers has become the tribunal where such claims are decided, when the Crown does not act upon the report of the Attorney-General only.

The claim to the Earldom of Banbury was perhaps the most singular and important in the whole catalogue, whether estimated by the extraordinary length of time —more than a century and a half—it remained undecided, or the conflict of opinion to which it gave rise between the first tribunal in the realm, the House of Lords, and the first law judge, the celebrated Lord Chief Justice Holt, regarded by his contemporaries as the profoundest lawyer of his time. Upon the decease of the Earl of Banbury in 1632, there were two inquisitions taken in different counties: by one it was found that the Earl had died *sine prole*, but in the other that

he had left two sons. His honours were, however, deemed EXTINCT, and his estates passed to his collateral heirs. Within five weeks, however, after her husband's death, the Countess of Banbury married Lord Vaux of Harrowden, and brought forward two sons, whom she stated were the offspring of her first marriage, born during the lifetime of Lord Banbury. The elder died young; but the younger took his seat in the Convention Parliament as Earl of Banbury, but was not summoned in the parliament which met in the following May.

The case gave rise to numerous petitions presented to the Crown, and discussed in the House of Lords for more than a hundred and fifty years, in which the main question was, whether the children of Lady Banbury were the issue of Lord Vaux, and not of her first husband, the aged Lord Banbury?

In the course of the proceedings there arose the celebrated conflict of authority between the House of Lords and the King's Bench. Charles, claiming to be Lord Banbury, was tried in 1692, for the murder in a duel of his brother-in-law, Captain Lawson. He was arraigned as "Charles Knollys, Esq.," and pleaded in abatement, that it was a misnomer, he being Earl of Banbury. The King's Bench quashed the indictment, holding that the prisoner was Earl of Banbury. But the Lords, who had previously decided the contrary, required the attendance of the Chief Justice Holt, and asked him "to give their Lordships an account why the Court of King's Bench had acted as it had done in this affair." To which the Chief Justice made this memorable answer: "I acknowledge the thing; there was such a plea, and such a

replication. I gave my judgment according to my conscience. We are trusted with the law. We are to be protected, not arraigned, and are not to give reasons for our judgment, therefore I desire to be excused giving any." After much discussion, and many adjournments, the contest terminated at last in the abandonment by the House of its fruitless struggle with the Court of King's Bench. Eventually the Lords, after a prolonged hearing, decided against the claim, 11th March, 1813.

The male heir of these dispossessed Earls of Banbury is General Sir William Knollys, K.C.B.

A History of the Earldom of DEVON from its first creation, by King Henry I., down to its recovery in 1831, would be a memorial full of romance and vicissitude. Conferred though it was, at various periods and by various creations, on the families of De Redvers and Courtenay, there is an unbroken chain of descent connecting the Earl of Devon of Henry I.'s time with the Earl of Devon of the reign of Queen Victoria. At present it is the *fifth* Earldom on the roll of the Peerage, dating from the creation of 1553, but it would be the *first* were it not for the attainder of the earlier creations. Even the last Patent was supposed to have expired with Edward, Earl of Devon, and Marquess of Exeter, who died at Padua in 1556. For the long space of two hundred and seventy-five years this brilliant coronet was left unclaimed, and so little did its rightful heirs, the Courtenays of Powderham Castle, know of its existence, that Sir William Courtenay, who was in reality Earl of Devon, sought and obtained from

George III a simple Viscounty. It was reserved for the research and skill of my late able and learned friend, Sir Harris Nicolas, to resuscitate one of the most illustrious titles in the peerage of England: he discovered, while perusing some old records, the Patent of Queen Mary creating the Earldom of Devon, and he at once perceived that the usual addition "de corpore" was omitted, either accidentally or by design. The absence of these two important words extended the limitation to collateral heirs-male, and thus entitled Viscount Courtenay to assert his right to the Earldom of his ancestors. Sir Harris conducted the case before the Lords, and lived to see the late Earl of Devon, in the full enjoyment of a peerage, the recovery of which was mainly owing to his genealogical ability.

I scarcely know of any more amusing story than the narrative of the adventures of Mr. Nugent Bell, in quest of evidence to establish the right of his friend Captain Hans-Francis Hastings, R.N., to the ancient EARLDOM OF HUNTINGDON, which had lain dormant from the death of the tenth Earl, in 1789. The singularity about the case is, that it succeeded in despite of the claimant himself, who, but one brief year before he was installed as fourth earl of the kingdom, had hardly any idea of his own position. He was a retired, unassuming naval officer, holding a small official appointment in a remote provincial town, contented with the station of a private gentleman, not dreaming of either purple robes or golden coronets, and was indebted for his success altogether to the exertions and perseverance of his professional adviser, Mr. Nugent Bell, who undertook the

affair on his own responsibility, and entirely at his own expense.

On the back of the letter conveying his acquiescence in the proceedings, Captain Hastings added, as a postscript, "By all things good, you are mad!" so romantic and visionary did the recovery of the Earldom seem to him.

Mr. Bell proceeded at once, 17th August, 1817, to England, and entered upon his arduous undertaking, accompanied by his friend, Mr. W. Jameson. His first visit was to Castle Donnington, where he had a very unsatisfactory interview with a solicitor named Dalby, who had long been concerned for the noble family of Hastings, and who was in communication with the Marchioness of Hastings, then living at Donnington Park. The next day he met with a Mr. Needham, from whom he acquired much valuable information; but the most valuable he obtained, and that which put him upon the right road, was from an accidental rencontre with an old domestic of the family. While seated on the outside of a coach, travelling through Leicestershire, and just, he says, as his "spirits were about to go to pieces amidst the quicksands of disappointment, a flag hove in sight, which he hastened to hail," and in a few minutes was alongside an old woman in a market-cart, with whom he jocularly made up an acquaintance, and obtained leave to accompany her for some distance on the road, in a vacant chair he espied in the vehicle. This old crone turned out, oddly enough, to be an ancient dependent of the Hastings family, and on her garrulity Mr. Bell founded the basis of his future success.

This extraordinary adventure having furnished the

required clue, Mr. Bell pursued it indefatigably through churches and churchyards, examining sextons, consulting registers, and deciphering tombstones, until, at length, he was enabled to draw up such a case as produced from Sir Samuel Romilly a satisfactory opinion in favour of the claim, and a Report from Sir Samuel Shepherd, the Attorney-General, to the effect that the claimant had made out his right; whereupon, on the 7th of January, 1819, just a year and a half after Captain Hastings had, in fear and trembling, given his reluctant consent, and Mr. Bell had started on his apparently Quixotic search in pursuit of a peerage, a writ of summons was issued, commanding the attendance in the ensuing parliament of Captain Hastings, by the style, title, and dignity of EARL OF HUNTINGDON.

The Barony of WILLOUGHBY OF PARHAM was conferred by letters patent, in 1547, on Sir William Willoughby, Knight, and the heirs male of his body, and devolved, at his death, on his son and heir, Charles, second Lord, who had with other children three sons, who all left issue. In the descendants of the eldest son, the barony continued vested until the decease, without issue, of the tenth lord in 1679. At his Lordship's decease the title ought by right to have gone to the descendant of Sir Ambrose, the *second* son of the second lord; but as his branch had emigrated to America, it was presumed to have become extinct, and the Barony of Willoughby of Parham was adjudged erroneously to Thomas Willoughby the son of the second lord's *third* son, and that personage (who had summons to Parliament, 19th May, 1685, by writ addressed "Thomæ Willoughby de Parham, Chl'r") and his descendants

continued to sit in Parliament as Lords Willoughby of Parham. Meanwhile the descendant of Sir Ambrose came back from America, proved his pedigree, and thus created a remarkable state of things. He, the true lord, was excluded from his rights as a peer, while his cousin, the false lord, sat and voted. In course of time, however, right prevailed. "*Dormit aliquando jus, moritur nunquam.*" The male line of the false lord expired, and Henry Willoughby, Sir Ambrose's representative, claimed his peerage, and had it adjudged to him by a memorable decision of the House of Lords, which admitted that the intermediate lords had "sat contrary to the right and truth of the case."

This decision, one should have supposed, would have ended all perplexity connected with the title of Willoughby of Parham. But it was not so. As the first false Lord was summoned to Parliament under the erroneous presumption that he was a peer, and took his seat accordingly under the writ, an independent Barony in fee was thereby created, descendible to *heirs general.* For instance, when the eldest son of an Earl is summoned up in the name of a Barony not vested in his father, and it afterwards turns out that the Earl has no such barony, then a substantive barony by writ is created; whereas, on the contrary, had the Earl possessed a barony, the effect of the writ to his heir-apparent would only be to accelerate the descent of the dignity, and to make it still descendible according to the original limitation.

There still being an heir-general of the false Lord Willoughby, is not such heir-general, in this view of the case, entitled to a barony in fee?

ATTAINDER o'ershadows many an old and honourable title. But for the forfeiture of Henry Grey, Duke of Suffolk, the father of Lady Jane Grey, the EARL of STAMFORD and WARRINGTON would be MARQUESS of DORSET, premier of his rank in England; and but for that of the ill-fated son of Charles II., the Duke of Buccleuch would be Duke of Monmouth. It is probable that if the attainder passed against the ruined Earl of Westmoreland in the time of Queen Elizabeth, were removed, the Earl of Abergavenny might prove himself to be Earl of Westmoreland; and it is not at all impossible that, if forfeiture did not intervene, Mr. Marmion Ferrers, of Baddesley Clinton, Co. Warwick, might establish, to the satisfaction of the House of Lords, that he was male representative of the Ferrers' family, and as such, the possessor of an EARLDOM of DERBY, which would place first amongst Earls, *facile princeps;* and would create a curious coincidence; the premier Earl, and the third Earl on the roll of the Peerage, would be designated by the same title.

The disappearance of Irish titles has arisen principally from the attainders and confiscations in that country. But for these causes, the remarkable perpetuation of the male descent among Irish families, would have preserved the ancient nobility in Ireland to a far greater proportionate extent than in either England or Scotland. As it is, there remains, comparatively speaking, a much larger number of the early creations in the Irish peerage than we can find on the roll of the English nobility of the same date. English titles have become, by the complete exhaustion of male

heirs, altogether extinct; while in the sister island even those titles which have passed away from the Irish peerage are probably only dormant, and might be revived if the attainders were removed, or if the power of genealogical research enabled the inquirer to discover the existing heirs.

At the death of Henry VII., A.D. 1509, the Irish peerage consisted of four Earls, Kildare, Ormonde, Desmond, and Waterford; of three Viscounts, Buttevant, Gormanston, and Roche of Fermoy; and of twelve Barons, Athenry, Kinsale, Kerry, Slane, Delvin, Killeen, Howth, Portlester, Dunsany, Trimleston, Ratoathe, and Rathwier. Subtracting from these the last two titles, which were both granted to Englishmen, and are extinct, I think I may safely assert that a male descendant of every one of the others still exists. A Bermingham resident in the north of Spain, is, I have reason to believe, the heir male of the Lords Athenry.

After centuries of vicissitudes, and many an effort to destroy it, by attainder, decapitation, and exile, the EARLDOM of KILDARE, the oldest earldom in the kingdom, is still enjoyed by the representative of the Geraldines:—

"When Capet seized the crown of France, their iron shields were known,
And their sabre-dent struck terror on the banks of the Garonne.
But never then, nor thence till now, has falsehood or disgrace
Been seen to soil FitzGerald's plume or mantle in his face."

Only twelve years junior to the Earldom of Kildare, its twin in renown, was its great rival ORMONDE, a title equally interwoven with romance and history. The acme of its political importance was in the time of the

Dukes of Ormonde, the charm of its romance in the fierce period of its conflicts with the Irish chieftains, and its feuds with the Geraldines of Desmond. One of the purest characters of any age was the gallant Earl of Ossory, at whose untimely death his bereaved father, the great Duke of Ormonde, so pathetically exclaimed, in answer to an expression of condolence, "I would not exchange my dead son for any living son in Christendom." It was this same Earl of Ossory who, after Blood's attempt to kill the Duke of Ormonde—an attempt which was generally ascribed to the instigation of Buckingham, addressed the Duke, while standing behind the King's chair, in these emphatic words: "My lord, I know well that you are at the bottom of this late attempt of Blood's upon my father; and therefore I give you fair warning, if my father come to a violent death by sword or pistol, if he die by the hand of a ruffian, or the more secret way of poison, I shall not be at a loss to know the real author of it!—I shall consider you as the assassin. I shall treat you as such, and I shall pistol you, though you stood behind the King's chair. And I tell you it in his Majesty's presence, that you may be sure I will keep my word." Ossory's only son was the Duke of Ormonde, under whose attainder, by the *English* parliament, the Earldom of Ormonde was supposed to have been forfeited; but many a long year afterwards this was found to be a false notion. A decision of the *Irish* parliament declared that no proceeding of the English legislature could affect an Irish dignity, and restored the Earldom of Ormonde and Viscounty of Thurles to John Butler, of Garryricken, the great-grandfather of the present Marquess of Ormonde.

Almost cotemporaneous with Kildare and Ormonde was an Earldom which suffered, perhaps more than any other, the severest reverses of fortune, the famous Geraldine EARLDOM of DESMOND. The rivalry of the FitzGeralds of Desmond and the Butlers of Ormonde, the Irish Guelphs and Ghibelines, forms a memorable episode in the annals of Munster. Once, we are told, a reconciliation was effected, and the hostile chiefs agreed to shake hands, but they took the precaution of doing so through an aperture of an oak door, each fearing to be poignarded by the other! After the battle of Affane, on the banks of the Blackwater, the FitzGeralds were defeated, and their leader made prisoner. While the victors were bearing him away on their shoulders, Ormonde triumphantly exclaimed, "Where now is the great Earl of Desmond?" "Here," replied FitzGerald, "still in his proper place, on the necks of the Butlers."

They were a gifted as well as a brave race, these Desmonds. Gerald, the fourth Earl, was called "the poet," and that deep susceptibility of the beautiful, which is the vital spring of the poetic nature, was, unluckily for him, inherited by his grandson, Thomas, the sixth earl. Wearied and benighted, one ill-starred evening, on his return from hunting, he took refuge in the Abbey of Feale in Kerry, the dwelling of a tenant, named William MacCormac. The Earl "came, saw, and," if he "conquered," became no less the conquest of MacCormac's lovely daughter Catherine. He married her, and the consequence was loss of title and estate; his uncle James, forcibly usurped both, and Desmond, after several fruitless attempts to regain his birthright, died an exile at Rouen, in 1420, and was there buried,

the King of England, Henry V. himself honouring, it is said, the funeral obsequies with his presence. Moore has gracefully sung this love story, in his song of "The Desmond," commencing,—

"By the Feale's wave benighted."

James, the Usurper, Earl of Desmond, Seneschal of Imokilly, was not acknowledged until 1422. He died in 1462, and was buried at Youghal; from his second son came the FitzGeralds, of Dromana, Lords of the Decies; and from his eldest son, the subsequent Earls of Desmond; this eldest son was Thomas, eighth Earl of Desmond, who, from the possession of vast estates, and from the lofty position of Lord Deputy of Ireland, became the inmate of a prison, and ended his life on the block in 1467, leaving a son and heir, James, ninth Earl, another example of the vicissitudes to which his family was doomed. After flourishing for twenty years in riches, honour, and power, he was basely murdered by his own servant.

But the crowning adversity, as also another instance of the usurpations tolerated by the Sovereign of England in Ireland, is presented by Gerald, the fifteenth Earl, the "*Ingens rebellibus exemplar.*" He dispossessed his elder brother of title and inheritance,—an inheritance extending, according to popular tradition, over a space of one hundred and twenty by fifty square miles, and producing an annual revenue of vast amount. Defeated at the termination of his ten years' rebellion against the English, he became reduced to the greatest distress, "and," says Camden, in his annals of Queen Elizabeth, "in no place safe, shifted from place to place." For a

considerable period he remained wandering among the bogs and mountains, with the utmost difficulty succeeding in warding off actual starvation. On one occasion, at Kilguaigh, near Kilmallock, in the county of Limerick, in the depth of winter, he and his Countess (Eleanor Butler, daughter of Lord Dunboyne), escaped the search of the royal adherents by flying from the miserable hovel which served as their place of concealment, and hiding themselves, sunk up to the throat in a "lough" of water. Having at last crept into the rugged wilderness of the Kerry mountains, Desmond was congratulating himself on a comparative security, when hunger compelled some of his followers to steal a few cattle. They were pursued by the owners guided, it is said, by the treacherous son of a woman who had been nurse to the Earl; and the cabin in which the unfortunate Desmond lay, was discovered. The spot was Glanaginty, under Slieve Loghra. Here, in the cold dawn of the 11th of November, 1583, one of the pursuers, first fracturing the Earl's arm by a sword cut, dragged the aged nobleman out of the hovel, and severed his head from his body. This bloody trophy was sent to Queen Elizabeth, and set up on the Tower of London, or, as others say, on London Bridge. The Earl's immense estates were parcelled out among "Undertakers" from England.

Thus expired the power of the great house of Desmond; for though, upon the death of Earl James, the rebel Earl's son, his cousin James Fitzgerald assumed the title and was recognized as such by the Irish, as indeed was his right, his father having never joined in the rebellion so tragically suppressed; the Queen

rejected his petition for restoration to his honours, probably because the estates had been bestowed upon others. This drove him also into rebellion. From his poverty he was called the "*Sugan*" Earl,—the Earl *of Straw*. In 1601, he was captured by the White Knight, and died a prisoner in the Tower of London in 1608. John Fitzgerald, brother of the "*Sugan*" Earl, entered the service of the King of Spain, by whom he was allowed to live in a position very unbefitting his birth or the magnanimity of a monarch: he died, leaving one son, Gerald, recognized by the Spanish King as Condé de Desmond. To this barren honour, however, was the royal favour limited; Desmond pined in poverty, and at length, in disgust, entered the service of the Emperor of Germany. In that service, he sustained, with honour, the great name he bore; and gallantly closed a soldier's life in 1632.

The subsequent fate of the title of Earl of Desmond was remarkable. After the forfeiture of the FitzGeralds, James I. conferred it first on his favourite, Sir Richard Preston, Lord Dingwall in Scotland (who had married Lady Elizabeth Butler, descended in the female line from the original Earls), and next on George Fielding, Viscount Callan, who was in no wise related to, or connected with the Geraldines. His descendant, the Earl of Denbigh, now bears the coronet of Desmond, so long associated, in the olden times, with the glory and misfortunes of Ireland.

The last of the Earldoms of Henry VI.'s time is that of WATERFORD, still existing, which was conferred, in

connexion with the office of Great Seneschal of Ireland,* on Sir John Talbot, the first and most renowned Earl of Shrewsbury, in 1446:—

> "Valiant Lord Talbot, Earl of Shrewsbury,
> Created, for his rare success in arms,
> Great Earl of Washford, Waterford, and Valence."

The Earldom of Waterford has followed the fortunes of its twin title of Shrewsbury, and from the time of Charles II. up to the time of the late Earl, never passed from father to son.

Two of the Viscounties of the next reign have fallen from the peerage roll, Buttevant, and Roche of Fermoy; but, in all probability, male descendants of both exist at this present moment. The representative of the latter was living in absolute poverty in 1667. In that year, on the 14th June, the Earl of Orrery writes to the Duke of Ormonde, recommending Lord Roche and his destitute family to his Grace's favour: "It is a grief to me" (these are Orrery's words) "to see a nobleman of so ancient a family left without any maintenance; and being able to do no more than I have done, I could not deny to do for him what I could do, to lament his lamentable case to your Grace." A Viscountess Roche of a later generation was seen begging in the streets of Cork.

The only other Irish Viscounty of this epoch, Gormanston, still remains, and gives title to the senior Viscount of Ireland.

* As Hereditary Great Seneschal of Ireland, the late Earl of Shrewsbury and Waterford officiated at the Installation of the Prince of Wales as a Knight of St. Patrick, in 1868.

Seven of the baronies in Henry VII.'s Irish House of Lords are still held by Irish Peers deriving from them. Two others, Athenry and Slane, are claimed, and one, Portlester, is under attainder.

Henry VIII. added to his predecessor's scanty Irish Peerage three Earldoms, Tyrone, Thomond, and Clanricarde; two Viscounties, Clontarf and Baltinglass; and eight Baronies, Curraghmore, Dunboyne, Upper Ossory, Louth, Carbrie, Dungannon, Ibrackan, Inchiquin, and Cahir. In this reign, Ulick Burke, chief of his race, was made Earl of Clanricarde, and the head of the great house of Eustace raised to the Viscounty of Baltinglass, a dignity to which the present Captain Charles Stannard Eustace, of Robertstown, county Kildare, has been declared heir, if the attainder were removed.

Edward VI. added but one creation, Mountgarret; and all that Queen Mary did, in the peerage of Ireland, was to form a precedent of a peerage for life, recently the subject of so much controversy in the Wensleydale case. Her Majesty made Kavanagh, chief of his sept, Baron of Ballyane for life, and his son Maurice, Baron of Cowellelyn, also for life. If the first creation had contained the customary limitation to heirs male, Mr. Kavanagh of Borris, would now be a peer of the realm. The titles were granted *for life*, hereditary succession, in our view, being unknown, or at least not acted on, amongst the native chieftains, who followed the Celtic custom of electing from the members of the family the person best qualified to succeed.

Queen Elizabeth made McCarthy, Earl of Clancarr, and created but two Irish barons—both Burkes—Lords Castle Connell and Leitrim. Her Majesty also revived,

by a new patent in 1583, the Barony of Cahir. The Queen did not, however, feel justified in conferring the barony of Cahir again, though by a new creation, and with only the new precedence, without the consent of the heirs-general. But one of these heirs, who had married Mr. Prendergast, of Newcastle, co. Tipperary, dying during the negotiations, the Queen then signed the patent, the release being executed a little later by the son of the deceased lady, though only ten years of age at the time.

Queen Elizabeth's successor, with his usual prodigality of honours, raised the number of the Irish peerage to sixty-seven. The additions included, among others, the Earldoms of Cork, Westmeath, and Roscommon; the Viscounties of Powerscourt, Netterville, and Moore of Drogheda; and the Baronies of Brabazon, Fitzwilliam, Charlemont, and Esmonde.

Charles I. brought up the number to 99; Charles II. to 105; and James II. to 110. Under William III., however, the roll of the peerage became curtailed by the attainders of the Jacobite Lords.

In the reign of the first monarch of the House of Hanover, the peerage of Ireland consisted of one Duchess, Munster (the German mistress of the King), one Marquess, Catherlough (the English Marquess of Wharton); thirty-one Earls, one Countess, fifty-two Viscounts, and thirty-one Barons. The long reign of George III., which increased so much the English peerage, added even still more to the roll of similar honours in Ireland. The peerage of that kingdom, which, as we have seen, consisted but of nineteen Lords in Henry VII.'s time, numbered at the close of the Irish Parliament, in 1801,

236 Peers, namely, one Duke, nine Marquesses, seventy-seven Earls, sixty-two Viscounts, and eighty-seven Barons. By the Act of Union, the Crown is empowered to confer a new title for every three that become extinct, until the whole number, exclusive of those having hereditary seats in the House of Lords, shall be reduced to one hundred, which magical number the Crown may keep up by new creations. At the present moment there are one hundred and nine Irish peers, who are peers of Ireland only. Of these, twenty-eight sit as representatives, leaving eighty-one who are excluded from their hereditary right.

Although Richard II. conferred knighthood on the four provincial Kings of Ireland, in 1395, no hereditary honour was bestowed on a native Irish chieftain until Henry VIII. made Con O'Neill Earl of Tyrone, Murrough O'Brien Earl of Thomond, and Dermot O'Shaghnessy, of Gort, in the co. of Galway, an *hereditary knight.* This last creation foreshadowed the institution of the Baronet.

MacCarthy of Desmond, and Magennis of Iveagh, were created peers by Elizabeth, and Rory O'Donnell, Prince of Tyrconnel was made an Earl by James I. Thus originated the famous Earldom of Tyrconnel: under its original possessor it had but a brief existence, falling under the attainder consequent on the "flight of the earls,"* in 1607. The subsequent vicissitudes of this title are remarkable: first it was given to Lord Fitzwilliam of Merrion, but it expired with him in four years; next it was conferred on a family to which it owes a share of its historic importance, the Talbots of

* See Meehan's "Fate and Fortunes of the Earls of Tyrone and Tyrconnel."

Malahide, and again fell by attainder. After Talbot, for no other reason, as it appears to me, but that it was an attractive and well-sounding title, it was given to a respectable English baronet, named Brownlow; and, after his extinction, to another English family, Carpenter, who had not a drop, I believe, of either O'Donnell or Talbot blood, and who had little in common with Ireland except the fact of being in the peerage of that country.

As for SCOTCH peerages, the entails and remainders are so varied, complicated, and numerous, that with most of them it is utterly impossible to say when they will become extinct. I need only refer to the claims to the succession of the Dukedoms and other titles of Queensberry, those to the Dukedom of Roxburghe, and the remainders to the Earldom of Breadalbane, to convince the reader of the impossibility of foretelling the eventual history of any Caledonian title.

The Acts of Union for Scotland and Ireland differed essentially in respect of the peerages of both countries; the Scotch Act contains no provision as to keeping up the Scotch Peerage by new creations, and probably in course of time all Scotch peers will be absorbed into the peerage of the United Kingdom. The union roll of Scotland, as it stood on the 1st May, 1707, comprised eleven Dukes, five Marquesses, seventy-five Earldoms, seventeen Viscounties, and fifty-three Barons; and now, in 1868, of the whole of that number there remain, allowing for the sixteen Representative Peers, only about thirty who have not a seat in the House of Lords.

There are many curious incidents connected with the descent of Scottish dignities. Lord Lindsay's delightful volumes on the lives of his ancestors, tell with romantic effect the extraordinary vicissitudes which have accompanied the transmission of the Earldom of Crawford, through an illustrious line of twenty-four Earls. At one time an Earl of Crawford, cursed with an unnatural son, obtained the royal assent to transfer the Earldom from his heir to the next male in succession; and this latter Earl, moved with pity, sought the Crown's interference again, for the reconveyance of the title to the rightful heir. But the line of this, the rightful line, did not prosper. Its eventual heiress lived disgracefully as a common vagrant, and was at length rescued from the lowest wretchedness by the bounty of King Charles II. After its extinction, the honours of the house of Crawford were usurped by a remote but most powerful descendant, the Earl of Lindsay, to the prejudice of the real heirs, the Lindsays of Edzell, the last of whom (Earl of Crawford if he had had his rights) died in 1744, an hostler at an inn in Kirkwall (*see page* 197, vol. 1).

The following anecdote, concerning the succession to the PEERAGE OF BREADALBANE, affords a curious illustration of the unlimited nature of the patents of some Scottish titles in favour of all heirs male whatsoever. Those in the renowned race of Diarmid are of the number. So that as long as a member of the Clan Campbell exists who is able to prove his descent from Glenorchy, or Lochawe, there is no chance of the Earldom of Breadalbane, or the Dukedom of Argyle, ever becoming extinct.

The house of Glenorchy is an ancient cadet of that of Lochawe, and has always been distinguished for inordinate feudal ambition and thirst for territorial aggrandizement. Each successive chieftain has materially enlarged its possessions, so that in extent of territory it yields to few within the bounds of the British empire.

The nobleman whom the following story brings before our notice, and his only son were the last of the direct line of the original Earl; but the titles and estates were strictly destined to distant younger branches. Of these, the least remote were Campbell of Carwhin, an old bachelor, a writer to the Signet, in Edinburgh, who had retired from business into the country; and Campbell of Glenfalloch, a Highland laird, who lived upon his small property. The latter had a grandson, of whom he was very fond, and whom he regarded with much pride as the future head of the house; presuming upon the probable extinction of the lines of his two remote kinsmen, the Earl and Carwhin.

In 1758, the third Earl had an English visitor at Taymouth, who, in exploring about, fell in with a fine-looking lad in the Highland garb, attended by a Highland man. The stranger asked who the boy was, and was told he was the young Breadalbane. After dinner, when the Earl and his guest were sitting cosily together, the latter related the circumstance, with the reply, and asked, "Now, who could the boy be?" "Oh!" replied Lord Breadalbane, "I know who that would be—that was the young Glenfalloch," savagely adding—"So he called him the young Breadalbane! did he?" And he continued the whole evening in a fit of abstraction,

repeating occasionally—"So he called him the young Breadalbane?" Next morning, at break of day, a messenger was sent express to summon Campbell of Carwhin, the retired man of business from Edinburgh, who, as an old bachelor, had lately settled in his own little place to end his days in peace.

When he arrived, and was welcomed, Lord Breadalbane said to him, "Now, Carwhin, you can't guess why I sent for you." "Oo! onything to pleasure your Lordship." "Well, I'll tell you what it is. I want you to marry!" "Me marry!! Breadalbane, I hae naething to marry on." "Oh! I'll make that easy for you, Carwhin." "Weel, but if I were ever so weel inclined, I dinna ken ony body that wud tak me." "Well, Carwhin, I've a remedy for that, too. You'll go to Inverary, where the circuit court meets soon—get introduced to Miss ——, the daughter of Lord ——, one of the Judges who is to be there. I'll warrant she'll take you." "Weel, Breadalbane, onything to pleasure your Lordship." Off he set in his best trim, got introduced to the young beauty, danced with her, took her to supper, and proposed. He was, however, refused; and, much disconcerted, he applied to a bosom friend, and explained the case. His friend said: "If all you want is to pleasure Breadalbane, try Betty Stonefield, I'se warrant she'll no' refuse you." This was a maiden sister of Lord Stonefield, the other Judge on the circuit, who was a Campbell, but neither young nor handsome. Carwhin took the advice, went through the same form, and was accepted; and the son and heir of this curiously-planned marriage was no other than John Campbell of Carwhin, who succeeded eventually, to the exclusion of

young Glenfalloch, as fourth Earl of Breadalbane. But events are not to be controlled: this fourth Earl's only son, John, fifth Earl and second Marquess of Breadalbane, died childless a few years since, and young Glenfalloch's great-grandson is, after all, despite the jealousy of the old Earl, and the cannie courtship of Carwhin, now Earl of Breadalbane. One day in the November of 1862 that same great-grandson was residing in London, in Margaret Street, Cavendish Square, on his moderate patrimony of a few hundreds a year, and the next day he was the possessor of one of Scotland's famous Earldoms, and of a rent-roll of full forty thousand a-year.

THE EARLDOM OF MAR is the most ancient and, perhaps, most historic title in the Scottish Peerage. During the tenth, eleventh, and twelfth centuries, the north of Scotland was divided into several great districts, such as Athole, Moray, Ross, Buchan, Mar, &c., &c., &c., which were governed by hereditary rulers with the title of Maormer. These potentates were next in power and dignity to the King; and in the transmission of their rank and office, the rule of hereditary succession was strictly observed.

In the case of the Maormers of Mar, the original Celtic dignity was exchanged for that of Earl, and Mortacus, Earl of Mar, was witness to a charter granted by King Malcolm Canmore to the Culdees of Lochleven in 1065.

Speaking of this title the learned Lord Hailes remarks: "This is one of the Earldoms whose origin is lost in antiquity. It existed before our records, and

before the era of genuine history." The present Earl of Mar is the direct successor, representative, and descendant of these aboriginal Celtic Maormers.

The origin of the DOUGLASES is undiscoverable amid the mists of remote ages. No one acquainted with general history can ignore that their race is among the noblest in Europe, whether we take into account the long line of their ancestors, the extent of their domains, the grandeur of their alliances, or the brilliancy of their military fame.

On the death of the Duke of Douglas, in 1761, the Duke of Hamilton succeeded as heir-male to the Marquessate of Douglas, the Earldom of Angus, and several other titles, while the succession to the estates devolved upon Archibald Stewart, as son of Lady Jane Douglas, the Duke of Douglas's sister, by her husband, Sir John Stewart, of Grandtully.

At the death of the Duke, the guardians of this young man proceeded without delay to vest him in the feudal right of the Douglas estates, by getting him, according to Scottish usage, served heir.

As many doubts had existed, from the time of his birth, as to its genuineness, and as it was believed by many persons that Lady Jane and her husband had stolen or bought two children in Paris, in order to introduce false heirs to the great estates of the family, steps were taken by the guardians of the youthful Duke of Hamilton to investigate the matter thoroughly. The discoveries, which they made in Paris concerning the circumstance of Lady Jane Stewart's alleged confinement of twins, gave them sanguine hopes of being

able to destroy Mr. Stewart's, or, as he was called, Mr. Douglas's claim, and to oust him from the possession of the family property.

And now commenced the famous Douglas cause, which excited an interest quite unexampled in cases of this kind, spreading from Scotland over England, and even to the continent of Europe.

The guardians of the Duke of Hamilton maintained that Lady Jane Stewart had not been pregnant; that the circumstances of her alleged confinement were untrue; that the confinement was an imposture; and that so far from having given birth to twins in Paris, there was proof that two male children, corresponding in age with the sons of Lady Jane, had been carried off from their parents, and that these children were abstracted by natives of Britain, whom there was reason to believe to have been no other than Lady Jane and her husband. One of these boys died in infancy.

The great amount of proof and counterproof makes this case puzzling in the extreme. To condense the arguments on both sides within the necessary limits of this essay would be impossible. Dr. Johnson's Boswell was one of the counsel, and many a quaint chat he and his mighty friend the Doctor had about the affair. Johnson imbibed a violent prejudice in favour of the Duke of Hamilton, while Boswell was enlisted in the interest of his Grace's opponent. The cause came on before the Court of Session in Edinburgh, in July, 1767. The fifteen judges gave the most unwearied attention to the case, and pronounced the most deliberate decisions. There never was a more honourable display of talent, acuteness, and impartiality

than was exhibited by those able lawyers, many of whom were distinguished historians and philosophers. The judges being equally divided, seven in favour of and seven against Mr. Douglas's claim, the Lord President Dundas decided against him by a casting vote.

There never was a case that caused so much sympathy. Party feeling about it in Scotland ran so high, that feuds were occasioned among the gentry, and rioting among the people. The learned and distinguished of the time became partisans, and throughout Europe the question was the subject of interesting discussion.

On the failure of Mr. Douglas's case before the Scottish Supreme Court, there was an immediate appeal to the House of Lords; and in less than two years after, in February, 1769, that tribunal reversed the decision of the Court of Session, and pronounced in favour of Mr. Douglas, thus placing him before the world as legal heir of line of the family, and securing to him the possession of its vast estates.

When the question is now considered after the lapse of a century, apart from personal feeling and party bias, it seems difficult to reconcile the contradictory assertions connected with the strange story of Mr. Douglas's birth, or to resist the strong appearance of imposture. Even those who were most in favour of his claim could not deny the suspicion of fraud. The two cases of child-stealing, however, were not actually brought home to the parents of Mr. Douglas, and he had the benefit of this failure of proof. In the year 1790, he was raised to the Peerage as Lord Douglas of Douglas; and he had the prudence and tact to ally himself by

marriage with the daughters of two of the greatest of the Ducal houses of Scotland. He died at an advanced age in 1827, and his Peerage was inherited successively by three of his sons. The last of these, James, fourth Lord, was in holy orders; and on his death, in 1857, the title became extinct. The Douglas estates were inherited by his sister, the Dowager Lady Montagu.

One main cause of the uncertainty in the succession to Scottish titles, is the frequent alteration in the order of their transmission, occasioned by the practice which prevailed of resigning them to the Crown and obtaining new Patents, with a totally different series of heirs from that which existed in the peerage as originally granted.*

In illustration of the peculiar results accruing from this system of the resignation and regrant of titles, I will refer to the remarkable limitation of the DUKEDOM of HAMILTON. The title was, in the first instance, intended to have been limited to the grantee, James, third Marquess of Hamilton, K.G., and his heirs-male,

* There is one instance of Parliament having created a new limitation (with the original precedence) of dignities, which without its interference, would have become extinct. The case is that of the celebrated John, Duke of Marlborough. The Dukedom, with other English titles and a Scotch barony, were held by him, with remainder to his heirs male. But in 1706, when the Duke had no issue male living, an Act was passed limiting all these dignities, in default of issue male, to his eldest daughter and her heirs male, with remainder to all his other daughters, severally and successively according to their priority of birth, and to their heirs male. This was an extraordinary occurrence, and nothing can again produce it, except such another combination of circumstances, or a repetition of such great and important services as then called it forth.

which would have carried it to the Earl of Abercorn, when he became the male representative of the family in 1651. The patent, however, at the suggestion of William, Earl of Lanark, brother of the Marquess, and then Secretary of State to King Charles I., provided that the Dukedom should descend to the heirs-male of the body of the first Duke; whom failing, to his brother, Lord William, and the heirs-male of his body; whom failing, to the eldest heir-female of the body of the first Duke without division, and the heirs-male of the body of such heir-female, they bearing the name and arms of Hamilton. The first Duke had been previously created Earl of Cambridge in the Peerage of England. He died in 1649, without surviving male issue, and was succeeded by his brother William, who became second Duke. William only enjoyed the title about two years, having died of wounds received at the battle of Worcester in 1651. At his death, without surviving male issue, he was, in terms of the patent, succeeded in the Hamilton estates and titles by his niece, Lady Anne Hamilton, eldest surviving daughter of the first Duke, and she enjoyed the title of Duchess of Hamilton for the long period of sixty-five years, having died in the year 1716, aged eighty.

Availing herself of the privilege which attached to Scottish peerages before the Union, her Grace, in the year 1698, made a resignation of her titles in favour of her eldest son, James, Earl of Arran, who became Duke of Hamilton, but she specially reserved the right to bear the title of Duchess of Hamilton, as the widow of her husband, William Douglas, Earl of Selkirk, who had been created Duke of Hamilton for life.

Another peculiarity connected with the title of Duke of Hamilton is, that it has not descended either to the heir-male of the body or to the heir-male collateral, or even to the heir-female of the first grantee, which is a rare occurrence in the history of dignities. If it had been limited to heirs-male, it would now be inherited by the Duke of Abercorn; and if to heirs-female, it would have descended to the Earl of Derby, who is the heir-of-line of the Hamilton family, through his grandmother, Lady Elizabeth Hamilton, only daughter of James, the sixth Duke.

Sometimes, however, in obtaining a new patent, the Peer who desired to change the order of succession, neglected to resign his original title to the Crown; so that it continued to exist, unaffected by the new patent. A remarkable instance of this is afforded by the MARQUESSATE OF QUEENSBERRY. In 1706, James, second Duke of Queensberry, resigned into the hands of the Queen his Dukedom of Queensberry, and various other titles, and obtained a new patent, according to which, on the death of William, fourth Duke of Queensberry, in 1810, those titles devolved on Henry, Duke of Buccleuch, as heir-of-line. But, in the resignation of his titles by the second Duke, the Marquessate and Earldom of Queensberry had not been included. They therefore continued to exist, unaffected by the new patent, and devolved on the heir-male of the family, Sir Charles Douglas, Bart., a descendant of the first Earl, who accordingly became Marquess of Queensberry. His grand-nephew is the present Peer.

The descent of a peerage of the Rosslyn stock of

Sinclairs—that of CAITHNESS—has been very singular. George, sixth Earl of Caithness, was a spendthrift, and contracted enormous debts. His creditor was the wealthy Sir John Campbell, of Glenurchy, who, after his death, married his widow, and got possession of all the Caithness estates, and, in 1667, was created Earl of Caithness. But George Sinclair, the heir male, ousted him, and became seventh Earl of Caithness; when Glenurchy got a new patent in 1681, as Earl of Breadalbane. The seventh Earl of Caithness died in 1698, without issue, and the title has never, since 1676 until now, been more than two generations in the same line, but has gone to four successive distant male branches. The grandfather of the present Earl was the descendant of a younger son, who branched off three centuries ago, and his predecessor's father was only one generation less remote from the original stock.

The EARLDOM of NEWBURGH has been claimed successfully by the Marchesa Bandini née Principessa Giustiniani, who is the heir and representative of Lady Anne Clifford (wife of the Hon. Thomas Clifford), daughter of Charlotte Maria, Countess of Newburgh in her own right. The Countess, by her second husband, the Hon. Charles Radcliffe, had a son, who became third Earl of Newburgh, and a daughter, Lady Mary Radcliffe, wife of Francis Eyre, of Hassop. Lady Anne married on the continent, and her descendant and representative was the Prince Giustiniani. On the death of Anthony James Radcliffe, fourth Earl of Newburgh, in 1814, his cousin, Mr. Eyre, of Hassop, assumed the title, on the erroneous supposition that Prince

Giustiniani, as an alien, could not claim it, and his two sons and daughter held it until, upon the death of the latter, Dorothea, Countess of Newburgh, in 1853, the Earldom was claimed and adjudged by the House of Lords to the Marchesa di Bandini—Cecilia, Princess Giustiniani—in 1858.

About half a century ago, a Scottish Earldom had nearly come into the possession of a very distinguished Cardinal at Rome. Charles Erskine was one of the most accomplished members of the Sacred College in the earlier portion of the present century. He was the son of Colin Erskine, younger son of Sir Alexander Erskine, Baronet, of Cambo, and was born in Rome in 1753. He ably fulfilled some important diplomatic missions, was promoted to the purple by Pope Pius VI. in 1801, and was styled in Rome "Cardinal Erskine di Killia." He died in Paris in 1811. He was a man of the most popular manners, classical learning, and excellent character. If he had outlived the last Earl of Kellie, before the union of that Earldom with Mar, he would have been at once the wearer of a Cardinal's hat and a Scottish coronet.

PEERAGE PRECEDENCE has often been a *casus belli* in Scotland. There was no fixed precedency in the Parliament of that country previous to 1606. The first attempt at order and regularity dates from the promulgation of "the Decreet of ranking," in that year. "It would have been scarcely credible, and it was surely not creditable" (I am quoting from one of the learned essays of Alexander Sinclair) "that till then confusion,

or chance, anything rather than method, is observable. Whether the Lords were arranged according to their entry into the House, or whether their places were determined by lot, or whether the highest Earl on one day was put lowest on the next, the result is difficult to conjecture or explain."

A very memorable contest on the subject, between the Earls of Glencairn and Eglinton, lasted full a century, and renewed the old rivalry of the Montgomeries and Cuninghams. Their Chiefs, Glencairn and Eglinton, were near neighbours, and bitter foes. On one occasion Glencairn claimed the inspection of certain documents in the possession of his rival Earl; his request was refused, and in revenge he burnt down Eglinton Castle, with all the family charters in it! Sixty years after, the fourth Earl of Eglinton, "a comlie brave nobleman," was waylaid and murdered by the Cuninghams. In more modern and less turbulent times, the old feud was renewed, on a question of precedence, as to the relative superiority of the two Earldoms, Glencairn and Eglinton, and the battle was fought with the hereditary acrimony and pertinacity of the rival houses. One decision gave the *pas* to Eglinton, another to Glencairn. Protest followed protest, reference after reference, until Glencairn gained the final victory about the year 1668. The remembrance of the controversy survived, however, for a long period, so late indeed as the close of the last century. One day in the year 1776, the Laird of Brisbane had the Earls of Glencairn and Eglinton to dine with him, and was very nervous about the old dispute. Dinner was announced, and the cautious host, feeling the difficulty of his position, turned to his guests, saying,

"My Lords, you are strangers, and I'll show you the way." "I walked off," continued Brisbane, when telling the story, "and took a peep over my shoulder to see what the Earls would do; and I saw Lord Eglinton bowing Lord Glencairn out before him."

A very high value was at all times attached to precedence by the Scottish peers. The Earls of Angus asserted "the right of having the first place in sitting and voting in Parliament;" and it is declared, 5th June, 1592, that the Earl of Angus having "yielded, at the King's desire, to the Duke of Lennox," shall no wise "prejudge the said Earl's right in tyme coming." The Marquesses and Duke of Douglas maintained this claim up to the Union.

This brief essay on the changeful circumstances of the Peerage may, perchance, excite an interest in a subject, full, in itself, of curious details; and may, perhaps induce some of my readers to search a little more deeply into the history of our great and illustrious nobility. That history will indeed well repay the trouble the search may cost; for it is replete with romance and chivalry, with all the charms of biography, legendary lore, and personal anecdote.

The enquirer will find several works to assist him, but he will be much disappointed at their paucity. The houses of Douglas, Howard, Hamilton, Courtenay, Russell, Lindsay, Montgomery, Bertie, Carnegie (Earls of Southesk), Maxwell of Poloc, Perceval, Bagot, Somerville, Blount, Shirley, O'Brien, FitzGerald (Earls of Kildare), Forbes (Earls of Granard), and a few others, have had their historians, but how rare, after all, are

these memorials! Where are the folios which should record the deeds and honours, the lives and fortunes of the Percys, the Nevilles, the Beauchamps, the Murrays, the Campbells, the Poulets, the Gordons, the Stanhopes, the Bruces, the Grahams, the Spencers, the Fortescues, the Talbots of Grafton and the Talbots of Malahide, the Cavendishes, the Temples, the Scotts, the Greys, the Willoughbys, the St. Johns, the Arundels, the Cliffords, the Butlers, and countless others? If the noble heir of each of these great houses were to write, or have written, a comprehensive history of his ancestors, the collection would form the most splendid and valuable of all contributions to our national and domestic literature. I shall be more than satisfied if the few fragments, I have here collected together, may create a curiosity for the discovery of more, and may help to increase the public taste for genealogical and heraldic reading.

Genealogical history is, if I may venture on the simile, a cemetery, in which the hatchments are still unremoved, the torches unextinguished, and the deep swell of the funeral chaunt yet wakening the echoes of the imagination and the heart. Here they repose, the brave, the gifted, the lovely, who gave themes to minstrels, subjects to painters, examples to posterity. However remote may be the time—through whatever chaos of mouldering records the laborious search must pierce—there is a peculiar feeling of gratification in poring over an old ancestral document. It seems like stepping back into the days of our forefathers, and conversing with those who have slept for ages in the silent dust.

Landless Lords and Baronets.

"It is incumbent on the high and generous spirit of an ancient nation to cherish those sacred groves that surround their ancestral mansions, and to perpetuate them to their descendants."

WASHINGTON IRVING.

THE separation of TITLE from Estate has been, as I have already suggested, one of the principal causes of the destruction of noble families. For this evil, I have ventured to prescribe, as a remedy, the ENDOWMENT of each hereditary honour with a certain *landed* property. Every title might have affixed to it a *territorial* designation, as, for instance, "Egerton of Tatton," "Willoughby de Eresby," "Howard de Walden," "Talbot of Malahide," "Lytton of Knebworth," &c., and the land, thus named, might be declared inalienable from the dignity for all time to come. Even in the Anglo-Saxon period, the possession of land was essential to dignity, and a very early law declared that if a churl had "a helm, and a coat of mail, and a sword ornamented with gold," and had not five hides of land, he remained of churlish degree, but if he had the land also, he was "thane worthy," and eligible for the highest offices. It is marvellous how the possession of ever so small a landed interest keeps a family together for century after century. A statement made by the late Lord Palmerston, corroborates this assertion. In a speech to a

Hampshire audience, at the opening of a local railway, his lordship observed, that there was a small estate in the New Forest, which had belonged to the lime-burner PURKIS, who picked up the body of Rufus, and carried the royal corpse in his humble cart to Winchester, and which had come down, through an uninterrupted male line of ancestry, to a worthy yeoman of the same name, now resident on the exact same Farm, near Stoney Cross, on the Ringwood Road, eight miles from Romsey. This permanence of English society is attributable as well to the national character as to the national law of primogeniture, which, to a great extent, secures the landed estate to the chief of the family. Some time ago "the Times" discussed this subject:—

"It matters not," says the journalist, "how or where we got our patriarchal traditions, but they are deep in the blood, and centuries would not wear them out. The whole of a family conspire to create a head. Temporary inconvenience may betray itself in murmurs, but all naturally fall into the hereditary arrangement. The childless leave the property generally to the one who can best keep up the family. They feel it safest and most profitable to invest what they leave in the eldest son of the eldest. Experience amply confirms the wisdom of this course. The eldest son keeps up the place, makes his house the general rendezvous, sustains the social consideration of the family, links it with other families equal or higher in the social scale,—in a word, fights the life battle of his race. He is the chief. His one name has more influence than twenty smaller ones. If the juniors of his race have less than their deserts, their deserts are measured by his position, and their

inferiority to him is their strong, though silent, claim to a share in the prizes of life. When it is objected that the estate is settled on the elder, and the youngers are thrown upon the public institutions of the country, that expresses a universal fact; but the fact is, the youngers get what they do get by the aid of the elder, and by the effect of his position. Instead of the estate being frittered away in subdivisions, its concentration makes it the nucleus of increase. The vitality of the seed is uninjured; it germinates, and bears fruit. Thus small families become great. Were it once the custom to divide landed property as soon as it had been got together, it would never be collected. Nobody would buy out every smaller man about him at an extravagant price to make a property for the mere pleasure of dividing it neatly in his will, or leaving his son to do so."

If some such system as this endowment of Titles of Honour, which seems to me so desirable, had been adopted in past times, the Earl of Perth and Melfort would now enjoy a portion at least, of the historic inheritance of the Drummonds; the late Earl of Huntingdon, the male representative of the famous house of Hastings, would not have been restored to a landless title; the Earl of Buckinghamshire might still be seated at the old Manor-House of Blickling; Viscount Mountmorres would yet have his home at Castle Morres, and Viscount Gort at his princely castle of Loughcooter; Lord Audley would have a share of the broad acres won by his chivalrous ancestors; Lord Kingsland, the waiter at the Dawson Street Hotel, would not have been a pauper, wholly dependent on the Crown's bounty, and Lord Aylmer, of Balrath, would not be driven to fight the battle of life in the distant

colony of Canada; the heir of the Castletons* would not have sunk to the trade of breeches-making; a fragment, at all events, of the Tristernagh estate would yet give local position to the old Baronetical family of Piers, and a remnant of the extensive Carbery possessions of the Moores would have saved their representative, the present Sir Richard Emanuel Moore, Bart., from the necessity of holding the situation of third class Turnkey at Spike Island;† the Baronetcy of Cox would not have come, despoiled of its fine estate of Castletown, to be the empty inheritance of poor Sir Hawtry Cox, great-great-grandson and male representative of the celebrated Sir Richard Cox, Lord Chancellor and twice a Lord Justice of Ireland; and the Baronetcy of D'Oyly, of Chiselhampton, would not have been lost to sight and now be supposed to exist in a labourer at Banbury; the story of the Baronets Echlin and Norwich would not have to be related;

* At the beginning of the present century the heir of the eminent and ancient family of CASTLETON, and the twelfth baronet of the name in succession, was a breeches-maker at Lynn, in Norfolk. "The Universal Magazine," of 1810, thus records his decease :—

"Died at Lynn, aged fifty-eight, Mr. Edward Castleton. He was the last lineal decendant of Sir William Castleton, of Hingham, Norfolk, who was created a Baronet in 1641 ; the family and title are therefore now become extinct. He died a bachelor, and never assumed the baronetcy. He for many years followed the very humble employment of breeches-maker at Lynn, but latterly lived on a small patrimonial inheritance."

† Sir Richard Moore's case is most lamentable : The unfortunate Baronet lost the situation of turnkey and wandered from Spike Island to Dublin, where he raised a few pounds by the sale of a work written by Lady Moore, his wife. At last he became destitute, and a few years ago was to be seen, in abject want, in the streets of Dublin!

Lord Kirkcudbright need not have stood behind the counter of his glove shop in Edinburgh; and that noble-hearted gentleman, Mr. Surtees, the historian of Durham, would have lost the opportunity of taking from the workhouse of Chester-le-Street old Sir Thomas Conyers, the last Baronet of Horden; Sir Anthony Mayney, Bart., the male heir of one of the most eminent royalist families in Kent ruined by the Civil War, would not have perished of actual want, nor his brother have committed suicide for the same cause; Sir Samuel Morland, to whom the invention of the steam-engine is by some ascribed, would not have been constrained in his old age to implore the interference of Archbishop Tenison with the King for some little help to support him; and Sir Hugh Middleton, the projector of the famous New River Company, would not have left his descendants houseless and impoverished. I will instance briefly a few cases in illustration of my subject, and the reader will find others scattered through these volumes:—

I.

THE LORD KIRKCUDBRIGHT.

> "This is the state of man; to-day he puts forth
> The tender leaves of hope, to-morrow blossoms,
> And bears his blushing honors thick upon him:
> The third day comes a frost, a killing frost;
> And—when he thinks, good easy man, full surely
> His greatness is a ripening—nips his root,
> And then he falls."—SHAKESPEARE.

THE Maclellans were of great antiquity in the South of Scotland, and held the office of sheriff of Galloway in

ancient times. Duncan Maclellan is mentioned in a charter of Alexander II., 1217, and Gilbert Maclellan in a charter of King David II. There were, according to Crawford, no fewer than twelve knights of the name, and there were many other Maclellans distinguished in history.

Sir Robert Maclellan, one of the gentlemen of the bedchamber to James VI. and Charles I., was created a peer by the title of LORD KIRKCUDBRIGHT, 25th May, 1633, to him and his heirs male, bearing his name and arms. The fourth possessor of the title, WILLIAM, Lord Kirkcudbright, died under age, and without issue, in 1669, when the whole estate was carried off by his father's creditors; so that when the succession opened to his cousin-german, John Maclellan, there being nothing left to support the dignity, neither he, nor his brother and heir James, ever assumed the title, and the Lords Kirkcudbright do not appear as sitting in Parliament from the time of John, the third Lord. But the right of the collateral heir male was so universally known and acknowledged, that at the Union this Peerage was considered as a subsisting one, and as such preserved on the Roll.

On several occasions, the votes of the Lords Kirkcudbright were subsequently admitted at the election of Scotch representative peers, and in 1741, William Maclellan, Lord Kirkcudbright, recorded his, at the general election. Despite, however, of his lordly character, the poor Peer followed the humble occupation of a glover, and for many years used to stand in the lobby of the Assembly Rooms in the Old Town, Edinburgh, selling gloves to the gay frequenters of the ball; for, according

to the fashion of the time, a new pair was required for every fresh dance.

The only occasion on which he absented himself from his post, was at the ball following the election of a representative peer; then, and then only, did he doff his apron, and assuming the garb of a gentleman, associate with the company, many of whom he had served with gloves during the rest of the year.

The glover-Lord's son, mindful of the pristine glories of his race, entered on a more ambitious career than his father, attained the rank of Colonel in the army, and, not satisfied with anything short of legal recognition, submitted his Peerage claim to the House of Lords, by whose decision he was declared seventh Lord Kirkcudbright on 3rd of May, 1773.

II.

SIR PETER HEYMAN, BARONET.

> "The race of yore,
> How are they blotted from the things that be!"—Scott.

If the scope and limits of my present work permitted, I should like to trace the fortunes of a Kentish baronetical family—Heyman of Somerfield—from its uprise in distant ages to its decadence in our own. I could "tell the tale as it was told to me," not by gossiping grandame or garrulous grey-beard, but by more trustworthy witnesses. I could make my appeal to deeds, wills, and family letters, extracts from parochial registers, transcripts of epitaphs, rubbings of brasses, and other

such like evidence that are found, even to overflowing, in the muniment chest of a friendly Doctor Dryasdust. His silent witnesses adduce unimpeachable evidence. They largely add to our knowledge of the family, and they correct, in many material places, the statements found in the visitations, county histories, and divers genealogical publications: but I must confine myself now to a few general particulars.

Like the family itself, the family nomenclature suffered loss by the lapse of time. In its original guise of Aymon, or Hamon (as it was otherwise written), it carried with it the air of old romaunt and poesy,* and it was a personal designation like Raoul, Baudouin, and Goscelin. Its bearer was then, of necessity, particularized either by his lands, as "de Créve-cœur," or by his office, as "le Sénéchal," or by his outward mien as "le bel," "le gros," or "le blond," or by his mental capacity as "le sage," or "le simple." When patronymics were found to be desirable, the simplest consisted in the prefix of "fitz," so as to indicate filiation; and the name appeared as "FitzHamon," or, as Thierry, in his *Histoire de la Conquête*, has it, "FitzAymon." And when usage, in its capriciousness, discontinued the pre-

* The jongleurs, the early chroniclers, and the writers of chivalresque romances continually employ this designation for their heroes. Who has not heard of Aymon, count of Tremonde, in Flanders; of the valor of his four sons in the defence of Malines and Brabant; of the feats of their war-horse, Bayard, who browsed in the fertile plains watered by the Dyle, and who left, for the eternal confusion of gainsayers, the imprint of his hoof upon a rock in the forest of Soignies? But why speak more about these things, when the reader can consult for himself the well-known "Histoire des quatre fils Aymons, très Nobles et très-vaillans Chévaliers?"

fix, the sire-name passed into a surname, with various modifications of its orthography, as are copiously illustrated in the documents that lie around me.

Of the antiquity of the Heymans there is no dubiousness. When, in 1783, the fourth baronet, Sir Peter Heyman, of Windsor, put forth an advertisement, which I shall give fully in its right place, he claimed to be "descended from a very ancient family that came to England with the Norman Conqueror in 1066, several of which were in parliament, and held places of honour and trust under the Crown." Wotton, writing in 1741, described them as "of known antiquity for many hundred years past, having had honours and good estates in the counties of Kent and Essex, and in the city of London, belonging to them;" and he further made mention of "their being of extensive charitable dispositions." In truth the philanthropy and benevolence of the Heymans ought to have saved them from ruin. Four hundred years ago, a Heyman founded the Tenterden free school. A century later, a Heyman gave a perpetual Exhibition at Canterbury and Cambridge; and another of the family made a donation, for charitable purposes, of a considerable estate in Kent. These Heymans were, most assuredly, good and worthy gentlemen. In Plantagenet times, they purchased the manors of Harenge and Otterpole, and in the reign of Henry VIII. a fair and well-portioned heiress, Elizabeth Till, brought the fine estate of Somerfield in marriage to Peter Heyman, Esq., who became gentleman of the bedchamber to Edward VI., and whose descendant, Sir Henry Heyman, of Somerfield, son of the famous Sir Peter Heyman, Knight, M.P. for Hythe, was created one

of King Charles the First's Baronets, in atonement, perhaps, of the wrongs inflicted on his father for his strong Parliamentary sympathies. At this period, the Heymans had attained the highest county position, and enjoyed universal esteem; but a change soon came over the scene.

Sir Peter Heyman, the second Baronet of Somerfield, and Sir Henry's son and successor, having involved himself in debt, was constrained to sell the whole of the family estates; and about the close of the reign of Charles II. he obtained a private Act of Parliament for that purpose. The manor of Clavertigh, which had been conferred on his ancestor, Peter Heyman, by King Edward VI., he sold to his cousin, Sir Edward Honywood, Bart., of Evington; and Somerfield, along with the manors of Sellinge, Harenge, Limne, and Wilmington, he conveyed to Thomas Gomeldon, Esq. He died at Canterbury 5th October, 1723, and was buried in the parish of St. Alphage in that city. His eldest son, Sir Bartholomew Heyman, succeeded as the third Baronet. This gentleman was born in 1690, and when a boy he was so unfortunate as to have his eyesight impaired by an accident from gunpowder, so that he was rendered unfit for the army, for which it was intended to bring him up. The alienation by his father of the hereditary property left him without the means of supporting his position; and in February, 1737–38 he was made one of the Poor Knights of Windsor, He married Elizabeth, daughter of Thomas Nelson, of Sandwich, Kent, merchant, a relative of the pious Robert Nelson; and dying at Windsor 9th June, 1742, he was buried in Saint

George's Chapel, beneath a stone, which is thus inscribed:—

"In memory of Sir Bartholomew Heyman, late of the county Kent, Baronet, who was one of His Majesty's Poor Knights of this place, and died the 9th of June, 1742, aged 52 years."

His only child, Sir Peter Heyman, who was born in 1720, served for a short time in the Royal Navy. In his seventeenth year he married Miss Kempe, of Plymouth, and by her he had three children, who, with their mother, predeceased him. In 1783 he was so reduced in circumstances as to make an appeal to the public for relief; and he put forth the advertisement following:—

"Under the Patronage of several Noble Personages of the first Distinction,
For the Benefit of an English Baronet,
At Pasqualli's Great Rooms, Tottenham St., Tottenham Court Road,
On Thursday, the 22nd May instant, at Noon, will be
A Grand Concert of Vocal and Instrumental Music by the most Capital Performers.
With Refreshments, Tickets 10s. 6d. each.

"Sir Peter Heyman, of Windsor, Baronet, for whose benefit the concert is to be, is descended from a very ancient family that came to England with the Norman Conqueror in 1066, several of which were in Parliament, and held places of honour and trust under the Crown. His Lady is descended from a baronet, and a family equally ancient and respectable. As his family inheritance was dissipated by his grandfather, he only succeeded to the dignity (a creation so early as 1641), which he hath enjoyed nearly forty years; and it being

unaccompanied with any property is the cause he now suffers real distress, which is rendered more poignant and severe by his age and infirmities. He earnestly entreats your kind notice and protection on this very useful occasion, which he will ever most gratefully remember. You will be attended to-morrow by a friend of Sir Peter Heyman, with a list of subscribers, and more tickets, should you be disposed to give it support. 20 May, 1783."

Yet seven years, and the aged and distressed baronet was mercifully taken out of a world of struggling and privation. He died, in July, 1790, at the house of John Hale, Esq., of Hertford, aged seventy; and the title thereupon devolved upon his cousin, the Rev. Sir Henry Pix Heyman, who was Vicar of Fressingfield-cum-Withersdale, in Suffolk, where he died, after a brief illness, 20th November, 1808, aged 42, leaving no issue; and the baronetcy, that had lasted for a period of 167 years, became extinct.

But a member of the old house—a female—lived on after this for nearly half a century, "the world forgetting, by the world forgot." The last Baronet had a sister, named Mary, who, with her mother, Elizabeth, daughter of Hatch Underwood, Esq., resided with Sir Henry Pix Heyman up to the time of his decease. On that event, they removed to Harleston, co. Kent, where in the fulness of years the mother entered into rest. She left a sister, who became the grandmother and godmother of the wife of the Rev. E. J. Shepperd, the late esteemed Rector of Luddesdown, Kent; and Mary Heyman, having discharged all filial duties, removed, on her relative's invitation, to Luddesdown, where she spent

the declining years of her life. There seems to me a soothing melancholy in associating with the hallowed influences of a clergyman's home, both in the case of the last Baronet and of his sister, the passing away of this ancient family.

The *Gentleman's Magazine* for January 1858, p. 104, contains the following notice:—

"1854, Oct. 31st, at Luddesdown Rectory, Kent, aged 93, Mary Heyman, the last descendant of the family of Heyman, of Somerfield, in the parish of Sellinge, Baronets. The collateral representation of this ancient house now devolves on Matthew Hayman, of South Abbey, Youghal, co. Cork, Esq., J.P."

Since this was announced, Matthew Hayman, of South Abbey, has died, and his line is represented by his son and heir, my gifted and accomplished friend, the Rev. Samuel Hayman, Rector of Doneraile, co. Cork.

III.

SIR FREDERICK ECHLIN, BART.

"Pity the sorrows of a poor old man."

THE Echlins have been settled in Ireland since the reign of James I. The Right Rev. Dr. Henry Echlin, migrating from Stafford, in England, became Bishop of Down and Connor, in Ireland, from 1613 to 1635. In the latter year he met with a violent death at Balruddery, *en route* to Dublin. His grandson, Sir Henry Echlin, Knight, was second Baron of the Exchequer in Ireland, and obtained a Baronetcy 17th October, 1621.

Baron Echlin's eldest son, Robert, represented the borough of Newry, 1695, in the Irish parliament. He married Penelope, daughter of Sir Maurice Eustace, Knight, and sister of the Lord Chancellor Eustace. His grandson, Sir Henry Echlin, the third baronet, died suddenly, 1799, when the title devolved on Sir James, the fourth baronet, grandson of the Rev. Dr. Echlin, Vicar of St. Catherine's, Dublin. This gentleman married Jane, daughter of Cambré Echlin, Esq., by whom he had Sir Frederick Echlin, the fifth and present baronet.

So far the "Peerage and Baronetage" (*Edition of* 1849) presents a record of this ancient family; but, beneath the surface, there lies a story of melancholy interest, not told in that memorial of the nobility. It is to be found in the records of an equity suit, and the letter of a good Samaritan, the worthy Rector of Carbury, in the county of Kildare. To pursue the details of loans and mortgages, and their consequences, equity suits and bills of costs, though all-absorbing in interest to the parties concerned, would be an ungrateful task, and anything but an agreeable intellectual treat to my readers. The curious in those matters may gratify their taste by consulting "The Pleadings" in the dreary cause of *Thomas* v. *Echlin.* That famous suit commenced in the Irish Equity Court of Exchequer in 1827, and ended in 1850. It is needless to go into particulars; the litigation went on year after year; the lawyers enjoyed it amazingly; they chuckled and punned, and cracked jokes about it. To them it was food and raiment; to the Echlin family, death and destitution. Sir James Echlin expired under the torture, and his

son, the fifth baronet, inheritor of the family estate, Clonagh, in the county of Kildare, witnessed the suit glide from the defunct Exchequer into the living gulf of Chancery, and he lived to see it end there:—his estate sold, and himself a pauper! Two letters are now lying before me, which present so vivid a picture of misery in the person of the victim of Irish Equity proceedings, and of the fall of an ancient house, that I do not hesitate to give them in preference to any prepared narrative of my own:

"21, Upper Merrion Street, Dublin,
May 2nd, 1860.

"My dear Sir Bernard,

"When I was last year staying in the county Kildare, a poor old man was pointed out to me at Edenderry as the representative of the Echlins, Baronets, and the actual inheritor of their title. No doubt was expressed on the point. He has been receiving relief from the parochial charities, and has given up earning his maintenance by manual labour, being now too feeble. He has a son, heir to the Baronetcy, for whom an effort has been made to procure a good education, and I am informed that the Queen, hearing of the case, contributed forty pounds to aid that object. The title I do not now find in the Baronetage, though it was in the edition of 1849. When one considers the high offices which in former times the Echlins filled in Church and State, this is certainly a remarkable reverse of fortune. Faithfully yours,

"John Ribton Garstin."

The other letter is from the Rev. Francis Hewson, Vicar of Carbury, county of Kildare.

"Vicarage, Carbury, June 1st, 1860.

"SIR,—I have been unable sooner to reply to your letter respecting Sir Frederick Echlin, as I had to ascertain before doing so some particulars which I was not quite sure about.

"The present Sir Frederick Echlin is the son of Sir James Echlin. His mother was a Miss Echlin. He has a brother, Fenton Echlin, who is married, and has five children, three boys. He had a sister, who died without leaving any children surviving. Their grandfather, Henry Echlin, was a half-witted man, who resided near Clonard, in this barony. He was, as I have been informed, on visiting terms with the nobility and gentry of the county. He left three sons. The only one of them who married was the father of the present Baronet. By an expensive lawsuit, and other causes, Sir James Echlin was latterly in such reduced and embarrassed circumstances, that he quite lost caste, and was unable to give his children any education. Sir Frederick can neither read nor write, and his brother is also quite an illiterate and uneducated man. The baronet is, like his grandfather, half-witted, but a very well-conducted and amiable man. He still preserves the traces of aristocracy in his appearance, though he has never mixed in any society but that of the labouring class. He is now upwards of seventy, and utterly destitute, his only means of support being two shillings and sixpence a week, which I allow him out of our collection for the poor, together with occasional donations from Christian

persons in this neighbourhood, and contributions which I get for him from my friends. About thirteen years ago I received forty pounds from the Queen for him, in answer to a memorial that was forwarded to her—ten pounds being from Her Majesty's privy purse, and thirty from the royal bounty fund. He shared a considerable portion of this with his brother and family, who were at the time in the greatest want, and the remainder I took charge of, and doled out to him, at his own request, at the rate of six shillings a week. I need not say that the sum has been expended long since. I do not know a fitter case than poor Sir F. Echlin's for either the Concordatum Fund, or, what would be still better, admission into some hospital. But all my efforts in his behalf have hitherto been fruitless, as his case is not considered eligible for Wilson's Hospital, and there was no vacancy when I applied on the list of persons for the Concordatum Fund. If you would kindly help me, or put me in the way of obtaining some provision for the declining years of this amiable poor Baronet, I shall feel very thankful. He attends our church, and dines in our house, regularly every Sunday. His brother Fenton resides in the village of Kilmeague, where he supports himself by labour, and the assistance of Mr. Preston, the clergyman, who has been very kind to him.

"I shall feel very happy to furnish you with any further information in my power respecting Sir F. Echlin, should you require it.

"I now remain,

"Your very faithful servant,

"FRANCIS HEWSON."

This simple and touching narrative, given in the first edition of this work, produced its effect. Another letter from Mr. Hewson, dated eight years later, 10th August, 1868, informs me that old Sir Frederick Echlin is still alive, but has now more comforts about him, in consequence of a pension of £26 a-year from Greatham Hospital, Stockton-on-Tees, a pension, Mr. Hewson says, which the publication of this story was the means of obtaining. The Governors of that Institution pitied and relieved the sorrows of the poor old man. The Baronet's brother Fenton continues to reside at Kilmeague, deriving his only support from contributions from his sons, very deserving young men, one a Policeman, another a private in the Life Guards, and the third a Footman.

"Forsan miseros meliora sequentur."

IV.

NORWICH, OF BRAMPTON.

" . . . the voyage of their life
Is bound in shallows, and miseries."
SHAKESPEARE.

THIS family held a high place on the roll of Northamptonshire genealogy. For a long time they were lords of the manor of Brampton, and for generations they formed high and distinguished alliances. It is said of the Norwiches, they "rose and fell by the smiles of woman." Margaret Holt, the heiress of Brampton Manor, gave her heart and hand to Simon de Norwich, and endowed him with her mansion and lands. His grandson, another Simon de Norwich, was equally fortunate, having

acquired large estates in Leicester and Northampton by marriage with Alice, only daughter and heiress of Richard Christian, of Harborough, and Simon Norwich, his son, became enriched by the estates of his cousin, Sir Richard Holt, which descended to him as heir.

The importance of the Norwiches of Brampton in the early part of the reign of James I., appears from monumental tablets still remaining in Brampton church. On the south side, over the chancel, a niche in the wall contains the effigies of a knight in armour, and a lady behind him, both kneeling in the attitude of prayer. These figures are surmounted with the family arms of Norwich, and beneath are two black tablets, containing the following inscription:—"Here resteth in peace Sir Charles Norwich, some time Lord of this towne of Brampton, in the county of Northampton, Knight, sonne and heire of Simon Norwich, Esq., and of Grace, his wife, the eldest daughter of Edward Griffin, of Dingley, in the county of Northampton, Esq., and sometime Attorney-General to that most excellent princess Marye. Hee was married to Ann Watson, eldest daughter of Sir Edward Watson, of Rockingham, in the countye aforesaid, by whom he had issue Sir Simon Norwich Knighte, his onlye sonne and heire, who in testimony of his love and dutie erected this monument. He died the 4th of May, Anno Dominy 1605." Under this inscription, beneath the floor, is the tomb, and in the chancel in front of the rails are two flat stones inlaid with brasses. A lady, full length, is represented at the side of the knight.

> "And there, in marble, hard, and cold,
> The Knight with all his train behold.

"Outstretched together are exprest
He and my lady fair,
With hands uplifted on the breast,
In attitude of prayer:
Long-visaged, clad in armour, he—
With ruffled arm and bodice she.

The Norwiches advanced in dignity, and in the reign of Charles I., A.D. 1641, Sir John Norwich, of Brampton, was created a Baronet. His first wife was Anne, daughter of Sir Roger Smith, Knight, of Edmonthorp, in Leicestershire, and his second, Mary, daughter of Sir Henry Atkins, of Cheshunt. The Baronet's eldest son and successor, Sir Roger Norwich, became M.P. for Northamptonshire and a Deputy Lieutenant, holding at the same time the office of Verderer of the Forest. But the policy of James II. not according with the views of Sir Roger, he surrendered his office and retired from Court, finding in the seclusion of Brampton Manor and the society of a charming wife, Catherine, daughter of Sir Hatton Fermor, Knight, of Easton, and widow of Sir John Shuckburgh, Bart., of Schuckburgh, co. Warwick, and his children, that happiness and enjoyment which the glittering pageant of a falling court could not bestow. His son and successor, Sir Erasmus Norwich, recovered his social rank, and added to his inheritance, by a double marriage, his first wife being the Lady Anabella Savage, younger daughter of Thomas, third Earl of Rivers, and the second, Jane, daughter and heir of William Adams, Esq., and eventually heiress of her uncle, Sir Charles Adams, Bart.

And now comes the turning point in the fortunes of the house of Norwich. They had arrived at considerable

eminence, possessed large estates, had a grand old hall at Brampton, and had formed alliances with distinguished families. "The Norwiches rose and fell by the smiles of woman," according to the old tradition of Brampton, and there would seem to have been some foundation in truth for it. Sir William Norwich, Bart., the son and successor of Sir Erasmus, never married. He lived the life of a *preux chevalier*—hunted, shot, and gamed—sipped honey-dew from the sweetest flowers of society. A voluptuary, he lived only for pleasure. A selfish, egotistical life it was. But what cared he, a sensualist? So that he enjoyed himself, the world's opinion was as nought. And he drank the cup of pleasure to the dregs. He lost his estates, so the story goes, at card-playing, with the famous Sarah, Duchess of Marlborough, wife of the hero of Blenheim; and Brampton Manor passed to the Spencer family. An outcast from the home of his ancestors, he retired to Harborough, where he died, 1741. His remains were deposited with his kindred in Brampton Church; but no sculptured tablet is inscribed with his name—no mural epitaph records his life or his fate.

The title was borne by another member of the family, but without sufficient means to support its dignity. The widow of the late Sir Samuel Norwich, the lineal representative of his house, resided at Kettering, and earned a livelihood by washing. She was very poor and very ignorant, not having received any education: she died 21st June, 1860, aged upwards of eighty. Her husband, Sir Samuel Norwich, for many years a sawyer in Kettering, was the eldest son of Sir John, who died in the parish workhouse. This poor scion of the old race

had, I am told, the manners and bearing of a perfect gentleman. His father, also named John, was a pensioner under the Montagu family. He was the brother, I have been informed, of Sir William, who had lost the Brampton estate by gambling. The present heir of the family, Sir William Norwich, is now, I understand, in America, where he is said to be doing well.

V.

THE LAST VISCOUNT KINGSLAND.

"Lady Duberly.—Consider, by the strangest accident you have been raised to neither more nor less than a Peer of the Realm.

"Lord Duberly.—Oh! 'twas the strangest accident, my Lady, on the face of the universal yearth."

Colman: "The Heir at Law."

Few countries in Europe possess an aristocracy as ancient or as distinguished as that established by the Anglo-Normans in Ireland. The FitzGeralds of Kildare and Desmond, the Butlers of Ormonde, the De Burghs of Clanricarde, the De Courcys of Kinsale, the Talbots of Malahide, the St. Lawrences of Howth, and the Barnewalls of Meath, were no unworthy rivals of the Mowbrays, and Bohuns, and Mortimers, and Beauchamps, and Bouchiers, and Nevilles, and Howards of England. The Barnewalls possessed in early times vast estates in the counties of Meath and Dublin, and were among the greatest of the Anglo-Norman settlers. Their present chief, Sir Reginald Barnewall, eighth Baronet of Crickstown Castle, is the head of the senior

line of this ancient house. The junior branches of Trimleston and Turvey were both ennobled—the former in 1461, when Sir Robert Barnewall (second son of Sir Christopher Barnewall, of Crickstown, Chief Justice of Ireland), was created Baron Trimleston; and the latter, in 1646, when Nicholas Barnewall, of Turvey, was made Viscount Kingsland. His Lordship's wife was the daughter and co-heiress of Henry, Earl of Kildare, and widow of Rory O'Donnell, Earl of Tyrconnel; and the descendants of this marriage continued to be a family of high connection and importance among the peers of Ireland until the severance of *land from title* left the last heir dependent on the bounty of the Crown for his subsistence. The letter which I annex, from my friend, the late Mr. R. Hitchcock, Master of the Exchequer in Ireland, tells graphically the Kingsland story:—

"Dublin, 26th Sept., 1862.

"My dear Sir Bernard,

"When the late Lord Kingsland established his claim to the Peerage I was a mere boy; but as my father was the solicitor, to whose enterprise, talent, and pecuniary support he was indebted for his success, he was very much at our house during the progress of the proceedings, and his extraordinary story became as familiar to the family 'as household words.' I am therefore enabled from recollection, although half a century has elapsed since the time of which I speak, to give you an outline of his antecedents.

"He was born in some obscure part of Dublin, and 'educated' in the vicinity of Castle Market, where it was

said he made his 'first appearance in public' in the 'onerous' part of a basket boy, his success in which character led to his promotion in the course of time to the more elevated position of under-waiter at a tavern in Dawson Street. It subsequently appeared, that although in so lowly a sphere, he entertained a dreamy notion, derived from family tradition, that, as he bore the name of the Kingsland family, he might, by some turn of the wheel of fortune, become entitled to its honours and estates. The Lord Kingsland of that time was a lunatic, residing in an asylum in France, and was under the guardianship of his relative, Lord Trimleston. A false rumour of that Lord's death reached Matthew Barnewall while he was officiating at the tavern in Dawson Street, and acting upon the traditionary notion of heirship, under the advice of his then companions and friends, Matthew mustered a strong force of the *employés* of the taverns and the market, which had been the school of his early training, and with that formidable array, proceeded forthwith to Turvey, the family mansion, of which he took instant possession. There he cut down timber, lighted bonfires, and for some short time indulged in the exercise of rude hospitality to the companions who had escorted him, and the rabble which he collected in the neighbourhood. His rejoicings were, however, but short-lived. Lord Trimleston, the guardian of the lunatic Peer, applied to the Court of Chancery, and poor Matthew was committed to Newgate under an attachment for contempt. While in the prison, he was advised to apply to my father for his legal advice and assistance, through which he was after some time set at liberty. At that period he was quite unable

to trace his pedigree, and being utterly illiterate—unable even to write his name—he could give but little assistance to his legal adviser in testing the justice of the claim which, in the midst of his almost Cimmerian darkness, he still insisted upon to the right of succession to the Kingsland Peerage. My father, however, being a man of sanguine temperament as well as superior talents, saw that there was something in what the poor fellow said, and took up the case with such ardour that he soon discovered a clue, which led him step by step through the difficulties which lay in the way of tracing a pedigree amidst so much ignorance, until at length there was but one missing link in the chain; and this was, after much research, supplied by the evidence of one Lucinda Ambridge, a woman upwards of a hundred years old. In the meantime the lunatic Peer *actually* died; and when Matthew's pedigree was completed, and the proofs forthcoming, the claim was brought before the House of Lords, and after due investigation by the Committee for Privileges, admitted.

"During the progress of tracing the pedigree, and pending the decision of the House of Lords, the expectant Peer was clothed and supported by my father, and was frequently at our house. He was at first very modest, and could scarcely be enticed beyond the mat at the hall door, and when brought into a room he sat, as such men do, on the least possible edge of a chair. By degrees, however, he grew in confidence, and being a good-humoured man, his conversation was very amusing, what Lord Duberly would call his 'cakalology,' and Dr. Pangloss his 'cacology,' being extremely rich. It would not be easy to do justice in description to his

exultation and pride on being acknowledged by the House of Lords. But his elevation was accompanied by a sad drawback. The property which should have gone with the title, consisting, I believe, chiefly of church advowsons, had lapsed to the Crown, owing to some want of conformity to the Established Church on the part of some of the ancestors, and could not be recovered. A pension of five hundred pounds a-year was granted to the new Lord Viscount Kingsland, and Baron of Turvey; but, alas! my father never was paid anything for his outlay and professional labour. All he ever got was the *éclat*, and the satisfaction of having achieved so great a triumph.

"Lord Kingsland was married in early life to a woman in his then class, who died before his elevation to the Peerage, leaving only one child, a son, who lived to be the Hon. Mr. Barnewall, and heir-apparent to the Peerage, but died within a few years after his father had established his claim. After some time, Lord Kingsland married a Miss Bradshaw, an English lady, but died without issue, and consequently the title is extinct, although it is said, and probably with truth, that an heir could be found amongst the poorest classes in Dublin.

"And now, my dear Sir Bernard, I have given you a mass, out of which you may glean what will answer your purpose. The papers relating to the case, which I remember in my father's office, have all been lost, and I can now write only from memory; but no doubt the printed petition, pedigree, and proofs, could be found among the records of the House of Lords. They would be interesting to you, and would show you what

wonderful ingenuity and industry were exercised in the case.

"Yours sincerely,
"R. HITCHCOCK."

To Mr. Hitchcock's narrative, I will only add that Viscount Kingsland married for his third wife a Miss Julia Willis, daughter of a medical general-practitioner at Kennington, and died at his father-in-law's house in 1833: his widow, Viscountess Kingsland, survived in such great distress that she styled herself simply *Mrs.* Kingsland, and earned by her needle a precarious and miserable sustenance. She is still living, I believe, at all events was two years ago, when she wrote to me in her wretchedness under the name of Mrs. Kingsland.

VI.

COLE OF BRANCEPETH CASTLE.

"When mirth is full and free,
Some sudden gloom shall be;
When haughty power mounts high,
The Watcher's axe is nigh.
All growth has bound; when greatest found,
It hastes to die."

J. H. NEWMAN.

IF I were writing on the Vicissitudes of the Historic Seats of England, the narrative would illustrate, more strikingly than any other I could adduce, the ruin that has been brought on ancient and noble houses by two destructive agencies, our English law of attainder, and the power vested in the heir of some one generation or

another of alienating the whole hereditary estates of his family. Perhaps no case would be so much in point as a history of the famous Castle of Brancepeth, in Durham.

Of all the feudal fortresses of England, whether we regard their venerable antiquity, the rank and authority of their early possessors, or the wealth and taste which have been, in modern times, expended upon them, there are few which can claim precedence over this home of the Nevilles. Built, in all probability, *temp.* Stephen, by the Bulmers, Lords of Sheriff Hutton, in Yorkshire, it was conveyed, after a few generations, by an heiress, Emma De Bulmer, to her husband, Geoffrey De Neville. Thus originated the illustrious House of Neville of Brancepeth, in which this grand old castle continued down to the time of Elizabeth, when the last Neville of Brancepeth, Charles, Earl of Westmorland, "the noblest Erle in the north countrie," by his participation in "the Rising of the North," forfeited both Raby and Brancepeth, and was driven into exile, where he died landless and penniless, in 1601. His story I have already told.

Brancepeth, thus lapsed to the Crown, was granted by James I. to his favourite, Robert Carr, who was created Baron Brancepeth and Earl of Somerset; but his attainder again forfeited the property, and it was sold in 1636 to Ralph Cole, Esq., of Newcastle.

This family of Cole rose almost, *per saltum*, from the smithy to the baronetage! Towards the close of the sixteenth century, there was living in the town of Gateshead one James Cole, who worked as a smith there; and within less than fifty years after, his children and grand-

children were amongst the most affluent of the resident gentlemen of the county of Durham, Thomas Cole, his son, dying worth an immense sum; and Ralph Cole, his grandson, being able to purchase the Nevilles' lordly castle of Brancepeth.

The smith's descendants ranked now amongst the leading gentlemen of the Palatinate; formed alliances with such families as the Liddells of Ravensworth, and the Foulis' of Ingleby; and were raised to a baronetcy as "Cole of Brancepeth," in 1640. The second Baronet, Sir Ralph Cole, represented the city of Durham in Parliament, and commanded the Durham Regiment of Militia; he had a great love for the fine arts, and is included by Walpole in his Catalogue of Painters. His master was no less a personage than the great Vandyke; but the taste proved an expensive one, and resulted in great injury to his fortune. After him, the family fell as suddenly as it rose: the descent from the lordly halls of Brancepeth to the mean room of a lowly house in Durham was as rapid as the ascent from the smithy: the grandchildren of the connoisseur of the fine arts, the pupil of Vandyke, the accomplished Sir Ralph Cole, were utterly destitute—in landless poverty and disregarded obscurity; the last of them, Sir Mark Cole, dying in such abject want that he had to be buried in Crossgate, Durham, at the expense of his cousin, Sir Ralph Milbank.

VII.

THE RERESBYS OF THRYBERGH.

> "The land left by thy father? that rich land
> That had continued in Welborn's name
> Twenty descents; which like a riotous fool,
> Thou didst make sale of."
>
> MASSINGER.

OF the many instances already given of the reverses of great families, there is scarcely one so striking as that which is the subject of this little chapter. In other cases, a stately house, like the oak of the forest stricken by the storm, or sapped by decay, has crumbled in one generation, but then the fall has been precipitated by some public convulsion, some act of devoted loyalty and its attendant attainder, or by some unforseen calamity or ruinous speculation. Most of those narratives were suited "to adorn a tale;" but the story of the Baronet, whose miserable career I am about to describe, is only calculated "to point a moral"—a sad moral, indeed—and to tell of the utter destruction of a time-honoured race by the profligacy of one single descendant. The Reresbys of Thrybergh had been "mighty in the olden time," but "one sad losel soiled their name for aye."

A grand old pedigree was that of these Reresbys, their home at Thrybergh, one of the loveliest in Yorkshire, and their high county position, the fair result of good and honourable deeds.

Tradition carries up the genealogy to a Norman soldier of Duke William's army, and history confirms

this origin of the family. Heiresses brought broad lands to almost every generation. A fair daughter of the d'Eyncourts, who inherited Pleasley, was won, with all her rich manors, by Isidore Reresby, and her son Ralph Reresby, M.P. for Derbyshire (*temp.* Edward II.), exchanged pleasant Pleasley for delightful Ashover, and added largely to his possessions by an alliance with Margery Normanville. This match united romantic THRYBERGH to the family possessions, and for that sylvan spot the Reresbys quitted their Derbyshire residence. In the course of the family's alliances one meets with the honoured names of Bradborne, Nevill, Stapleton, Fitzwilliam, Fulnetby, Babington, Monson, Tamworth, and Yarburgh; and, within thirty-one years of the institution of the Order of Baronets, Sir John Reresby, Knight, of Thrybergh, Governor of Hull, was advanced to that honour. His son and successor was Sir John Reresby, Bart., Governor of York, the celebrated historian of his own times, who had as much reason to be proud of his literary talents as of his ample possessions and distinguished name.

Sir William Reresby, Bart., son and heir of the eminent author, succeeded his father in 1689, and this descendant of an honoured line, the possessor of ample estates and of a name renowned in the history and literature of his country lived to see himself stripped of every acre of his broad lands! "'Twere long to tell, and sad to trace" the steps of his fall from a position of such envied eminence. Gaming was one of Sir William's follies, and particularly that vile species of it, cock-fighting, and Thrybergh was said to have gone on a single main! The downward course having begun, the facile descent

followed, and domains, that had been acquired by the services or the alliances of his provident ancestors, were alienated in rapid succession. Le Neve, in a MS. preserved in the Heralds' College, states that the wretched spendthrift was at length reduced to such abject beggary, that he accepted the menial post of tapster in the King's Bench Prison, and was tried and imprisoned for cheating in 1711. How he afterwards dragged on his thriftless career is not recorded, but he was alive in 1727, when Wootton published his account of the Baronets. In that work, his then miserable condition is referred to. And thus it was that Sir William Reresby, who might have given another good name to the glory of his progenitors, died in indigence and obscurity, "unwept, unhonoured," and, save in some of the doggrel ballads of the times, "unsung."

> "These are the acts, Lothario, which shrink acres
> Into brief yards—bring sterling pounds to farthings,
> Credit to infamy : and the poor gull,
> Who might have lived an honoured, easy life,
> To ruin and an unregarded grave."

The profligate Baronet had one brother to survive him, the landless Sir Leonard, with whom the title expired. Beautiful Thrybergh had been sold by the spendthrift to John Savile, Esq., of Methley, and is now, by bequest of Mrs. Finch, the widow of Savile Finch, Esq., M.P., the charming seat of the Fullertons.

VIII.

THE LAST OF THE LEICESTERSHIRE BURTONS.

"Of higher birth he seem'd and better days."
BYRON.

BURTON, whether applied to places or persons, is a familiar and famous name in Leicestershire. Of places there are Burton Lazars, Burton Overy, and Burton on the Wolds. Of eminent persons of the name, born and bred in the county, a long catalogue might be given. A few must suffice: Thomas Burton, a merchant of the staple, bequeathed in 1495 those extensive charities at Loughborough, out of which recent times have seen an extensive educational establishment and other benefactions spring. William Burton was the first historian of the county, and his brother Robert, who called himself Demetrius Junior, was Vicar of Seagrave, and author of the "Anatomy of Melancholy," from which Milton plagiarized and which Johnson praised. "Burning Burton" sprung from the county, so did Judge Burton, and Decimus Burton.

It is doubtful whether more than one of these had a common ancestry with the Burtons of Stockerston, of whom I am about to write.

John Burton, Esquire, eldest son of William Burton of Braunston, purchased the lordship of Stockerston from the Drurys. He was descended from Sir William Burton, Knight, one of the justices of the King's Bench, as appears from authentic evidence as well as from his

arms, *gules, a chevron between three owls argent crowned and membered or.* He was succeeded by his son Thomas, who had been made a Knight in 1603 at the coronation of James the First, and was created a Baronet in 1622. He was High Sheriff of Leicestershire in 1633, and eminently distinguished himself on behalf of Charles I.

He was in the first commission of array with Sir George Villiers, Sir Henry Skipwith, and others, and, though not in the sequestered lists, suffered sequestration and imprisonment for the Royal cause, and died in 1655.

Sir Thomas was twice married—first to Philippa, daughter of Sir Henry Cobham *alias* Brooke, and widow of Walter Calverley, of Calverley, by whom he had three daughters* but no son, and secondly to Ann Hubbard, widow, by whom he had one son, Thomas, who, the year before his father's decease, married Elizabeth, daughter of Sir John Pretyman, of Lodington, Baronet, of Nova Scotia. Sir Thomas Burton died in 1659, and left two infant sons. His widow re-married with William Halford, afterwards Sir William, of Welham. Sir Thomas Burton, the third baronet, sold Stockerston in 1690 to Sir Charles Duncombe, and died at Newark in 1705 leaving two sons, Charles, who succeeded to the title, and was an officer in the Guards, and Thomas, *d.s.p.*

Some of Sir Charles's predecessors had been improvident. The fine family estates had nearly all gone, and he, with the desire of re-possessing some portion of the

* Two of these were christened "Beauty" and "Bands," taken we suppose from the XI of Zechariah, according to the common practice of the times. Whether they tried to prove the appropriateness of these names I am not aware.

wealth of his ancestors, tried expedients that were neither honourable nor successful. The *facilis descensus* was short as well as easy. Step by step, the once fashionable Guardsman reached the depth of degradation, and a career that might have reflected the credit of some famous progenitors led to abject poverty and a spunging house. At last, in 1712, he was indicted at the Old Bailey for stealing a gold ring, was found guilty, and sentenced to transportation.

In him the baronetcy is supposed to have become extinct. From some family papers preserved by the Halfords, it appears that Sir Charles had moved amongst the wits of his time, and was not devoid of literary talents. A fragment of his which I remember reading, but cannot accurately quote, is so beautiful and bears so striking a resemblance to those exquisite lines of Moore's, that it may have suggested to Erin's bard one of his exquisite thoughts. Assuredly it describes, and not inaptly, what may well have been the feelings of the LAST OF THE LEICESTERSHIRE BURTONS.

> "And I felt how the pure intellectual fire
> In luxury loses its heavenly ray;
> How soon, in the lavishing cup of desire,
> The *pearl* of the soul may be melted away."

IX.

THE LORDS UMFREVILL.

> "—— They were of fame,
> And had been glorious in another day."
>
> BYRON.

A HIGH and potent family were the UMFREVILLS of Northumberland, men of the strong hand and the stout

heart—qualities which in the old time gave those who possessed them mastery over their fellow-creatures. The patriarch of their race, "Robert with the Beard," Lord of Tours, accompanied his kinsman, William the Conqueror, in his expedition to England; and, like so many others of his fortunate countrymen, reaped an ample portion of the general plunder. Ten years after the battle of Hastings, he obtained from his royal master a grant of the valley of Redesdale in Northumberland, with all its castles, woods, and franchises, to hold of him and his heirs for ever, by the service of defending that part of the country from wolves and the king's enemies by "the sword which the said King William wore at his side when he entered Northumberland, and which he gave to the said Robert." In 1295, "Robert with the Beard's" descendant, Gilbert de Umfrevill, Earl of Angus in Scotland, and Baron of Prudhoe, Redesdale, and Harbottle, in Northumberland, was summoned as a Peer to the English Parliament by King Edward I. But, alas for the instability of all human greatness! this illustrious family, dignified with the titles of Baron Umfrevill and Earl of Angus, was on its wane ere the Russells or Cavendishes had yet risen into importance. Mr. William Umfrevill, the last but one of their male descendants in a direct line, kept a chandler's shop at Newcastle, but failing in that humble occupation, was glad to accept the office of keeper of St. Nicholas' workhouse, in the same town, where he died, and left his widow with a son and daughter, utterly destitute. Fortune, however, at this dark moment, before turning her face from them for ever, shed a passing gleam upon their extinction. Their sad

story came to the ears of the Duke of Northumberland, Lord of the old Umfrevill Barony of Prudhoe, who generously allowed a small pension to the widow, and after educating her son, procured for him a midshipman's appointment. In due course of time, John Brand Umfrevill rose to the rank of captain; but he left no issue at his decease in 1820, and with him, it is believed, expired the illustrious race of Umfrevill. A respectable branch, settled at Farnham Royal, Bucks, had previously ended in an heiress, Mary Umfrevill, wife of Edward Lake Pickering, Esq.

The house of Northumberland was always munificent. Another instance of its benevolence may not be inappropriate here. Among the *emigrés* who effected their escape at the outburst of the French Revolution, and sought refuge in England, was the Abbé de Percy, of the Norman branch of that illustrious name. He brought with him very slender means, and of a portion of that little he was robbed, shortly after his arrival in London. With the remnant he went to Bath, but his fund lasted only a brief while, and the poor Abbé was reduced to the extremity of want. In his utter destitution, he remembered that the Norman Percies from whom he sprang and the English ducal house of Percy were of the same origin; and he took heart and addressed himself to the Duke of Northumberland, who happened at the moment to be at Bath. De Percy told simply the story of his exile and sufferings, referred to the honoured name he bore, and mentioned his actual state of poverty. To the letter the Duke returned a courteous acknowledgment, and promised to write again in a few days. In the interval his Grace com-

municated with Lord Harcourt, whose guest the Duc d'Harcourt was at the time, and having ascertained the truth of the Abbé de Percy's statement and the authenticity of his pedigree, enclosed to his newly-discovered kinsman a bank note for £1,000, in a beautiful gold snuff-box, and with a general invitation to his house, which was ever after open to the refugee.

The Vicissitudes of Bulstrode.

"Per varios casus—per tot discrimina rerum."

VIGIL.

"Beau parc et beaux jardins, qui, dans votre clôture,
Avez toujours des fleurs et des ombrages verts,
Non sans quelque démon qui défend aux hivers
D'en effacer jamais l'agréable peinture."

MALHERBE.

"Puisse enfin le pinceau, créant sur quelques pages
Des sites enchantés, de vivantes images,
Réveiller d'autres temps."

LE FLAGUAIS.

THE Vicissitudes of Bulstrode:—Under this title I pass for a moment, for the sake of variety, from the contemplation of the changes in families to viewing the strange alternations that have occurred in a single and ancient estate—that of Bulstrode, in the county of Bucks. Becoming at intervals the property of sets of owners totally dissimilar, and that by abrupt and singular transitions, the lands of Bulstrode have had a notable and perennial, and yet ever-varying existence, like some old lineage that has gone on for centuries maintaining its position, despite of the startling acts and eventful diversities in the lives of those who formed the links of the descent. Bulstrode, although its name dates from the Conquest, was a park in the

Saxon era, and now, in 1868, it is the same park still —aye, and one of the most beautiful in the kingdom. Its very graces have no doubt been the cause of its long preservation. Those fair eight hundred acres that constitute Bulstrode, diversified as they are with bold hillocks almost rising into hills, and a great number of deep sweeping valleys crossing and intersecting the grounds in several directions, and forming that pleasing inequality of surface which constitutes the greatest beauty in the outline of Nature's scenery—those eight hundred acres, I say, have lasted verdant and unfading, just as with the lineage I allude to, because they have always been good to look upon, though marked by much deviation and many oddities of deed or circumstance. Let us view Bulstrode at different eras of its permanence, which has now endured for some thousand years—a permanence of which the divers owners of the place formed the vicissitudes.

I.

The Shobingtons, an ancient Buckinghamshire race, held the lands of Bulstrode before the invasion of the Normans. The lands were not called Bulstrode then, but hear what a marvellous tale tradition has to tell of how that name was acquired. When William the Conqueror had subdued this goodly realm, and was partitioning its choicest acres among his armed followers, his eye lighted on the neighbourhood of Gerard's Cross, and there saw this fine park, with its chief mansion-house, and the other surrounding possessions that had been the Shobingtons' for ages. He appropriated and granted the whole to a certain Norman lord who had

come over with him. The Shobington then in possession got timely notice of this disposal of his inheritance, and he determined rather to die upon the spot than tamely to suffer himself to be turned out of what had descended to him from his ancestors. Thus resolved, he armed his servants and his tenants, whose number was very considerable. Upon which the Norman lord, who had advice of it, obtained of the King a thousand of his regular troops to help him to take the estate by force. Shobington thereupon applied to his relations and neighbours to assist him, and the two ancient families of the Hampdens, ancestors of the Hampden who would not pay ship-money, and the Pens, ancestors of the founder of Pennsylvania, took arms, they and their servants and tenants, and came to his relief. When they all met together, they cast up works, remains of which appear to this day in the place where the park now is and the Norman lord, with his forces, encamped before their entrenchments.

Now, whether the Shobington party wanted horses or not is uncertain; but the story goes, that having collected a parcel of bulls, they mounted them, and, sallying out of their entrenchments in the night, surprised the Normans in their camp, killed many of them, and put the rest to flight. The King having intelligence of this act of daring valour, and not thinking it safe for him, whilst his power was yet new and unsettled, to drive a brave and obstinate people to despair, sent a herald to them to know what they would have, and promised Shobington a safe conduct if he would come to Court, which Shobington accordingly did, riding thither upon a bull, accompanied with his seven sons. Being intro-

duced into the royal presence, the king asked his demands, and why he alone ventured to resist, when the rest of the kingdom had submitted to his government, and owned him for their sovereign? Shobington answered that he and his ancestors had long been inhabitants of this island, and had enjoyed that estate for many years; that if the king would permit him to keep it, he would become his subject, and be faithful to him as he had been to his predecessors. The King gave him his royal word that he would, and immediately granted him the free enjoyment of his estate, upon which the family was from thence called Shobington Bull-Strode or Bulstrode; but in process of time the first name was discontinued, and that of Bulstrode only remained to them.

The truth of this strange story is said to be confirmed by long tradition in the family, by several memoirs which they have remaining, and by the ruins of the works that are to this day seen in the park of Bulstrode.

II.

Some confusion occurs in the mediæval history of Bulstrode, for whatever may have been the possession of these early Bulstrodes or Shobingtons, the manor of Bulstrode, either in whole or part, belonged in the thirteenth century to the Abbess and Convent of Burnham, of which convent few perhaps have heard, but all Londoners know its locality, where pic-nics pass so pleasantly now-a-days under the Burnham beeches. The nuns of Burnham alienated their share of Bulstrode to the Priory and Canons of Bisham. The fell times of Henry VIII. swept these good monks away, and we

hear no more of Bulstrode in connection with ecclesiastical foundations; and we find the Bulstrode family in full possession again. In the seventeenth century they became allied with another Buckinghamshire house —the Whitelocks of Fawley Court; and henceforward, up to the time of the Revolution, the names of Whitelock and Bulstrode are not a little prominent in the troublous periods of Charles I., the Commonwealth, and Charles II. The memory of these Whitelocks and Bulstrodes clings lastingly to Bulstrode Park, their favourite retreat from the cares of business, the turbulence of party, and the changes of political fortune.

Let me here recall a few of these eminent sojourners at Bulstrode.

First as to how the Bulstrodes and Whitelocks were united. It was thus:—Elizabeth Bulstrode, daughter of Edward Bulstrode, Esq., of Bulstrode, was married to Sir James Whitelock, a Judge of the Court of King's Bench. Richard Whitelock, the father of this Sir James Whitelock, the Judge, stands in the pedigree as the youngest brother of William Whitelock, the chronicler. Put to London to be brought up in the trade of merchandise, Richard Whitelock entered into his calling with spirit, and was accustomed to visit foreign countries in the way of his business. In 1570, during one of his journeys into France, he was seized with pleurisy at Bordeaux, and died there at the age of thirty-seven. As a Protestant, there were difficulties respecting his interment; but the English merchants resident in that city, "to the number of 100 or more, armed themselves with loaded muskets, and did thus escort the corpse into the vineyards, and did there honourably inter it."

But to return to his son the Judge, Sir James Whitelock. "He was," says Bulstrode Whitelock, in filial reverence, in his Memorials, "as good a subject, as good a patriot, and as just a judge as ever lived." Posterity has admitted the eulogy, and he is viewed in the same light by Lord Campbell in his "Lives of the Chancellors" —a work, by the way, so agreeably written, and so thoroughly readable, that when once taken up even for reference, one can hardly lay it down. Lord Campbell quotes Charles I.'s admission respecting Sir James Whitelock, that he was "a stout, wise, and learned man, and one who knew what belonged to uphold magistrates and magistracy in their dignity." Sir James died in 1632, and left behind him a son whose fame has put the memory of his worthy father in the background. This son was the celebrated Lord Keeper Whitelock, who, as Commissioner, held the Great Seal of the Commonwealth under Oliver Cromwell, and again as Lord Keeper under Richard Cromwell, and after Richard retired. Whitelock, when Cromwell's Ambassador to Sweden, was made a knight of the Order of Amarantha by the Swedish Queen Christina, whose eccentricities are darkened by the murder of her equerry Monaldeschi. Henceforward Whitelock was (somewhat illegally) called Sir Bulstrode Whitelock; but I need not here pursue his biography, since it is one of common knowledge, for his career formed part of the history of his time. "He was," says Lord Campbell, "one of the most interesting as well as amiable characters of the age in which he lived." Whitelock married thrice, and no fewer than sixteen of his children survived him. His entire issue, including those who died young, was even more

numerous, though nowise as extensive as Charles II. would have it, when, on Whitelock's coming, at the Restoration, to court, possibly in hope of again being guardian of the Great Seal, the King bid him "go live quietly in the country and take care of his wife and one-and-twenty children." Whitelock obeyed the hint, and the dignified retirement of his latter days well became the distinction of his previous career. One of Lord Keeper Whitelock's sons, Sir William Whitelock, was eminent at the bar, and got his knighthood from Charles II. In the Lord Keeper's time, there was a Bulstrode of his house who figured on the opposite side of politics, and was, through his existence of more than a century, one of the stanchest cavaliers of his day. This was Sir Richard Bulstrode: his career deserves a passing notice.

Sir Richard Bulstrode was born in 1610. He was a very learned lawyer, as appears by his book of Reports, a work in great esteem to this day. He was of Pembroke Hall, Cambridge, where he continued his studies for several years. In 1633, being then about twenty-three years of age, he wrote a poem on the birth of the Duke of York, which is still extant in the collection of the poems of that university. From Cambridge he went to the Inns of Court, and was entered in the same house with his father. He became a barrister-at-law, and practised as such till the breaking out of the Civil Wars, when his affection to the King's cause made him quit the gown for the sword. He, as a soldier and cavalier, behaved himself with so much prudence, bravery, and conduct, that King Charles I. soon made him Adjutant-General of his army, and afterwards Quartermaster-

General, in which post he continued to serve till the disbanding of the King's forces at Truro. He was no small instance of how efficient the barrister can be, when a military volunteer. On Charles II. being restored, Bulstrode, in reward of his long and faithful services to the crown, went to Brussels as envoy from the King. There he wrote those letters since so famous. In 1675 he returned to England, and the King knighted him. Sir Richard Bulstrode was as faithful to James II. as to his royal predecessor. When James retired an exile to France, Bulstrode, then nearly eighty years of age, followed him; and the worthy knight ended his days at the Court of St. Germans, when a hundred and one years old and two months.

Sir Richard Bulstrode enjoyed a wonderful firmness of mind and strength of body to the very last. After he was fourscore years old and more, he would often walk twelve miles in a morning, and study as many hours in a day. And though it may seem a paradox, as he had exceeded a hundred years, yet it cannot strictly be said that he died of old age. The disease that carried him off was a stoppage in his stomach, caused by an indigestion. Nevertheless, had proper remedies been applied, he might in all probability have worn out several years longer; but his physician, who understood his constitution, being out of the way, those that were sent for to his relief durst not, by reason of his age, give him an emetic, the want of which, it is thought, hastened his end.

He was most accomplished, and of much ability. He perfectly understood the interests of princes, and the arts and intrigues of courts, and often transacted affairs

of the utmost importance, in all which he ever behaved himself with indefatigable integrity.

Bulstrode left behind him several treatises of his own composing, such as the lives of his three masters, King Charles I., King Charles II., and King James II., and essays on several subjects. When he was above eighty years of age, he composed one hundred and eighty pieces of Latin verse, as well elegies as epigrams, all of them on divine subjects. The beautiful and well-known letter, which Sir Richard Bulstrode wrote to his son on the subject of retirement, must have been inspired by the sylvan retreat of Bulstrode Park. A passage from this letter offers a graceful conclusion to this account of him. "That man," writes Sir Richard, "forgets his origin who puts his soul out of possession of herself, by continually running after business, whereas he should abandon and bid adieu to all manner of business that may any way impeach the tranquillity of mind or body. He that thus retires draws no man's envy upon him; he reigns by himself over his family, and all the pomp which greatness draws after it is not comparable to that which you will enjoy in secret by thus retiring; which is indeed to shut up the prospect of this world, that we may take the better view of the other, by a prudent precaution, to untwist our affections, and slide off from the world before the world slips from us; whereas they that continue in the throng of business their minds lose their rest, and many times after a man hath lost his rest he loseth his labour also. He that hath enough for himself and family ought not to entangle himself again with more than he can well manage, and make his whole life a burthen to him.

And those wisely retire who, being harassed with the fatigues of a public life, foreseeing all weather, are willing to put into port, when keeping out at sea might endanger the vessel."

With these Whitelocks and Bulstrodes of the seventeenth century their long connection with Bulstrode Park ceased, but their memory and their name have ever since continued to be attached in honour to the place.

III.

Tradition gives one singular inhabitant to Bulstrode, in no less a personage than "Praise-God Barebones," so distinguished for the fervour of his pious harangues that his name was given to the Parliament of Saints, which assembled in succession to the Long Parliament when crushed by Cromwell. Nay more, tradition will have it that Mr. Barebones built the mansion at Bulstrode; but that was not so, for the edifice owed its erection to a far less worthy individual, Judge Jeffereys, of whom more directly. It is, however, just possible, that Mr. Barebones, a respectable leatherseller, of the City of London, and a friend of Bulstrode Whitelock's, may have rented the then house at Bulstrode, as a temporary rural sojourn; for be it observed that, though of singular tenets in politics and religion, the members of the Barebones' Parliament were men of credit and substance. "If," says Heath, speaking of them in his exact relation, "all had not very bulky estates, yet they had free estates, and were not of broken fortunes, or such as owed great sums of money, and stood in need of privileges and protection as formerly."

IV.

George, Lord Jeffereys, of Wem, the notorious Judge Jeffereys, bought Bulstrode from Sir Roger Hill, a Buckinghamshire squire, and M.P. for Wendover, who seems to have possessed the estate for a very short time. Jeffereys' sojourn there adds another, though not a pleasant remembrance to the place. It has been questioned whether this personage was as bad as history generally makes him out, but I fear very little beyond some slight palliation can be urged in his favour. Even Serjeant Woolrych, in his admirable biography of Jeffereys, cannot accomplish much in mitigation of his misdeeds. Cruel and overbearing he really was, though much of his injustice may be attributed to the wretched administration of the law which in his days prevailed throughout the realm. Jeffereys was an unscrupulous, but he was also (after he once joined their cause) a faithful adherent of the Stuarts, and this, too, though he was a Protestant, and a man nowise servile, but of a rather independent spirit. He was a daring, yet able, legal adventurer, in the first instance, and afterwards a rough judge, sufficiently just, as times went, in ordinary cases, but totally unfit when political bias roused the fierceness of his nature. Jeffereys was born about 1648, and was the sixth of the seven sons of John Jeffereys, Esq., of Acton, in Denbighshire, by his wife, Margaret, daughter of Sir Thomas Ireland, Kt., of Bewsey, co. Lancaster. So little is known of his youth that it is a matter of doubt where he was first educated. He, it is said, frequented, when very young, some academy, and thence went to Shrewsbury School, from which he was removed

to St. Paul's School, London, where he made great proficiency. Finally, Westminster had him for a pupil. When at Westminster School, he is reported to have had a remarkable dream, that he should become the chief scholar there, and afterwards enrich himself, by study and industry, until he became the second man in the kingdom, but in conclusion, fall into great disgrace and misery. His school days hardly over, Jeffereys entered as a student in the Inner Temple, and how he then got on does credit, at any rate, to his economy and perseverance; his allowance during his legal studies was only £40 per annum from his grandmother; his father added £10 a year, and screened his parsimony under the excuse of his having an expensive family. Jeffereys was assiduous in his application to law-reading; he had a bold presence, an audible voice, good utterance, and fluency of language; but in his disposition, even early in life, he was proud, impatient, revengeful, covetous, and brutish. He introduced himself into practice rather irregularly. He was indeed supposed to have never been called to the bar, from this reason—happening to attend as a law student at the assizes, at Kingston, in Surrey, in 1666, during the Plague, when there were few counsel on the circuit, he, in the absence of the regular advocates, was under the momentary emergency, permitted (most probably for some misdemeanant) to address the Court. No doubt, too, before his call to the bar, he assisted and received payment from those minor attorneys and their clerks who were notoriously his associates and pot companions when he began his career. His actual call to the bar by the Law Society of the Inner Temple appears to have taken place the 22nd November, 1668,

when he was but twenty years of age. His early practice lay at Guildhall, and at the sessions at Clerkenwell; and while thus occupied, he acquired the patronage of his namesake, Alderman Jeffreys. He was made Common Serjeant, and on the promotion of Sir William Dolbein to the Bench, he was nominated his successor as Recorder of London—a speedy elevation that certainly marked some public appreciation of his ability. He, while Recorder, acted in a cause in which the privileges of the Stationers' Company were infringed, and spoke with so much force before the Council, on an appeal, when King Charles II. was present, that the latter noticing him, observed, "That is a bold fellow." From that time the sunshine of royalty began to shed its light upon Jeffereys, and he came boldly forward as a violent partisan of despotic principles, and of James, Duke of York; opposed the calling of a parliament, and was reckoned "an abhorrer," and was burned in effigy, at Temple Bar, by the populace. He had to resign his office of Recorder, which was given to that Sir George Treby, who, on the tablet to his memory in the Temple Church, is stated to have been "*Recordator Magnæ Urbis.*"

Court promotion now favoured Jeffereys. He was appointed Chief Justice of Chester, and obtained a Baronet's patent 17th November, 1681, making him "Sir George Jeffereys of Bulstrode, in the county of Buckingham." He had been previously knighted. He had, in 1680, been made a Serjeant-at-Law, and had been put first on the roll as King's Serjeant. The rings which he presented, as is customary, to the King and to others on that occasion, had the motto, 'A Deo Rex: A

Rege Lex:' *The King from God, the law from the King.* In 1783 he became Chief Justice of England; and when he first took his seat, during a circuit, on the Bench, his elder brother, Sir Thomas Jeffereys (who was knighted at Windsor, 11th July, 1680), was High Sheriff of His native county of Denbigh, and another of his brothers preached the assize sermon. On the 15th May, 1685, Jeffereys was raised to the peerage as Baron Jeffereys of Wem, in the county of Salop; and on the 27th August of the same year, he went, as Chief Justice, to preside and earn eternal disgrace at that merciless commission which sat in judgment on the rebels of Monmouth's misguided insurrection. The Chief Justice hanged three hundred and thirty prisoners, and transported eight hundred to the colonies; and on his way back to London was, at Windsor, made Lord Chancellor. His Lordship had now more time to reside at Bulstrode. Rich and riotous living, they say, characterized his sojourn in the mansion he raised in that beautiful locality. Yet some state must have been kept up; for, according to Lord Clarendon's diary, King James and his amiable consort, Queen Mary of Modena, dined with the Chancellor there. Jeffereys' manners were certainly agreeable in private, and he was not without some romance in his composition. At one time, while in humble circumstances, he courted and won, in secret, the affection of the only daughter of an opulent citizen, one Thomas Nesham, who, discovering a plot for his child's elopement, secured her person, and declared positively against Jeffereys obtaining her or her property. Mary Nesham sent an account of these harsh roceedings to her lover. Jeffereys at once acted more

like a cavalier than a fortune-hunter. He hastened to her rescue, and married her, though penniless; for so she was at first, but the relenting father afterwards gave her £300 a-year. Jeffereys, however, found his best treasure in the wife herself, who lived with him in devoted attachment till her death. The lady, it should be observed, to redeem even her influence from blame, died some years before Jeffereys went as Chief Justice on his ruthless commission in the west. He married, secondly, Anne, daughter of Sir Thomas Bludworth, and widow of Sir Thomas Jones, of Fonmon, co. Glamorgan, which lady survived him.

In a London mob tumult, consequent upon the Prince of Orange's landing, Jeffereys, endeavouring to escape, was maltreated by the populace. He was captured, and, more for protection than aught else, was put in the Tower by the Lords of the Privy Council, and was there arbitrarily detained. He died a prisoner in the Tower the 19th April, 1689, but he was never tried on any charge, nor was he ever attainted, as is sometimes absurdly stated; consequently his son John succeeded him as second Lord Jeffereys of Wem. This second lord, who wasted his patrimony in dissipation and intemperance, married the Earl of Pembroke's daughter, and their only child and heiress, Henrietta Louisa, became the wife of Thomas, first Earl of Pomfret, and through her the blood of the Lord Chancellor Jeffereys passed, not only to the succeeding Earls of Pomfret, but also to the Carterets Earls Granville, to the eighth Earl of Winchilsea, to Dr. Stuart, Archbishop of Armagh, to General Sir William Gomm, G.C.B., and to numerous other nobles and gentlemen whose

families are extinct or still existing. John, second Lord Jeffereys, dying without male issue the 9th May, 1702, his peerage and baronetcy became extinct. Bulstrode, it seems, fell to the lot of one of Lord Chancellor Jeffereys' sons-in-law, Charles Dive, Esq., of Lincoln's Inn, who married the Hon. Mary Jeffereys: he sold it to the Earl of Portland. A branch of the Jeffereys family—that of Jeffereys of Wem—springing from a common ancestor with the Lord Chancellor, still exists in Shropshire. It should be also observed that many members of the Jeffereys family (among them, we believe, some of the brothers of the Chancellor) were Quakers. One Quaker alliance is remarkable:—Lord Chancellor Jeffereys' great-granddaughter, Lady Juliana Fermor, was married to Thomas Penn, of Stoke Park, Bucks, lately the seat of Lord Taunton, which Thomas Penn was the third son of the illustrious Quaker, William Penn, the founder of Pennsylvania.

V.

Bulstrode's vicissitudes appear to have varied with the times. The Roundhead Whitelocks made it notable in the Commonwealth. Jeffereys filled it with a Jacobite spirit; and now that the Whigs and William III. were in the ascendant, the Dutch favourite of the Dutch monarch turned his eyes towards the fair acres of Bulstrode. Mynheer Bentinck was no ordinary man, and the success of the house of Orange owed much to him: he was constantly by William's side in sickness and in health, in peace and in war; and the King justly appreciated this valuable adherent, who landed with him at Torbay in 1688. "The King's chief personal favour,"

says Burnet, "lay between Bentinck and Sidney. The former was made Earl of Portland and groom of the stole, and continued to be entirely trusted by the King, and served him with great fidelity and obsequiousness, but he could never bring himself to be acceptable to the English nation." This was in some measure owing to Bentinck's being ever too visibly active in bettering his own fortunes, and to his being constantly so set on his own pleasures as really to appear not able to follow public business with due application. His anxiety for the goods of this world more than once marred his popularity. For instance: after he, in Ireland, had behaved so gallantly at the battle of the Boyne, and had had a principal share in obtaining the victory, and was further serviceable in the reduction of Ireland, he spoilt his credit by obtaining for himself a grant of the royal furniture in Dublin Castle—the tables and chairs of the King that had been dethroned. Another remarkable act of attempted appropriation was this:—On Bentinck's return to England after brilliant doings in the war abroad, he, in consideration of his great services, got a gift of the Lordships of Denbigh, Bromfield, and Yale, with other lands in the principality of Wales, which being part of the demesnes of the Prince of Wales, the House of Commons addressed William III. to put a stop to the passing that grant. The King answered thus:—"I have a kindness for my Lord Portland, which he has deserved of me by long and faithful services, but I should not have given him these lands if I had imagined the House of Commons could have been concerned. I will therefore recall the grant, and find some other way of shewing my favour to him." And soon

after His Majesty conferred on Bentinck the royal house of Theobalds, with the demesnes thereunto belonging, in Herts and Middlesex, and also granted to him the office of ranger of the great and little parks at Windsor. Bulstrode, it would seem, the Earl of Portland bought with his own money. Yet, though avaricious, Portland's integrity was unflinching. In 1695 there was a report at the House of Commons that some members of both Houses had been bribed in relation to passing an act for establishing the East India Company, and it appeared that £50,000 were pressed on the Earl of Portland to use his interest with the King that it might pass, which he absolutely refused, saying he would for ever be their enemy and opposer if they persisted in offering him the money.

After attending the death of his royal master and friend, William III., and after various political services, the Earl of Portland, towards the close of 1708, betook himself to a retired life at Bulstrode, which had become his favourite residence. He passed his latter days there in a most exemplary way, and died at Bulstrode in 1709, in the sixty-first year of his age. He was buried in the vault under the great east window of Henry VIII.'s Chapel, in Westminster Abbey. His son, the second Earl, was created Duke of Portland, and was also a soldier and a statesman. He died at Jamaica, governor of that island, but his son William, the second Duke, made Bulstrode his favourite abode; and the second Duke's amiable and talented Duchess, née the Lady Margaret Cavendish Harley, a warm patron of literature and the fine arts, celebrated by Prior as "my noble, lovely, little Peggy," used to here constantly entertain

a host of the notabilities of the day. Among them was her attached friend, the celebrated Mrs. Delany, who came to her as her visitor during the half of every autumn until the Duchess died a widow in 1785. Mrs. Delany then lost her country home; but the munificence of George III. supplied another to this aged lady, who and whose deceased husband had been the friends and intimates of Dean Swift, and who herself was the attached ally of Miss Burney, afterwards Madame D'Arblay. In her Memoirs, Madame D'Arblay gives charming details of her own association with Mrs. Delany. The following is her account of Mrs. Delany's conduct, and the King's generosity, after the death of the Duchess of Portland. It is so gracefully written, and is so interesting a memorial of Bulstrode, that we do not hesitate to lay it before the reader. Miss Burney is writing to her father:—

"I must tell you, dearest sir, a tale concerning Mrs. Delany, which I am sure you will hear with true pleasure. Among the many inferior losses which have been included in her great and irreparable calamity (the death of the Duchess), has been that of a country-house for the summer, which she had at Bulstrode, and which for the half of every year was her constant home. The Duke of Portland (the Duchess's son) behaved with the utmost propriety and feeling upon this occasion, and was most earnest to accommodate her to the best of his power with every comfort to which she had been accustomed; but this noblest of women declared she loved the memory of her friend beyond all other things, and would not suffer it to be tainted in the misjudging

world by an action that would be construed into a reflection upon her will, as if deficient in consideration to her. 'And I will not,' said she to me, 'suffer the children of my dearest friend to suppose that their mother left undone anything she ought to have done. She did not; I knew her best, and I know she did what she was sure I should most approve.' She steadily, therefore, refused all offers, though made to her with even painful earnestness, and though solicited till her refusal became a distress to herself.

"This transaction was related, I believe, to their Majesties, and Lady Weymouth, the Duchess's eldest daughter, was commissioned to wait upon Mrs. Delany with this message:—That the Queen was extremely anxious about her health, and very apprehensive lest continuing in London during the summer should be prejudicial to it. She intreated her, therefore, to accept a house belonging to the King at Windsor, which she should order to be fitted up for her immediately; and she desired Lady Weymouth to give her time to consider this proposal, and by no means to hurry her; as well as to assure her that, happy as it would make her to have one she so sincerely esteemed for a neighbour, she should remember her situation, and promise not to be troublesome to her. The King, at the same time, desired to be allowed to stand to the additional expenses incurred by the maintenance of two houses, and that Mrs. Delany would accept from him £300 a-year."

Lady Llanover, of kin to Mrs. Delany, has recently made a valuable addition to her relative's biography, in those volumes which she has so ably and so charmingly edited, entitled "The Correspondence of Mrs. Delany."

Dick Turpin, the famous highwayman, actually robbed the second Duke of Portland within his own park of Bulstrode. This daring feat he thus for a bet accomplished: The Duke was driving into the domain in his carriage, accompanied by a few attendants on horseback. Turpin hastily rode up, having apparently a roll of paper in his hand, and, pointing to it, he motioned to the horsemen to stand aside for a moment. Thinking he was a messenger of State, they did so, when Turpin, putting his head into the carriage, levelled the roll of paper at the Duke's head, and his Grace perceived it contained a loaded pistol. "Your life or your watch on the instant!" quietly said Turpin. The Duke pulled the latter from his fob and gave it him. Turpin drew back with sundry bows and obeisances, as if receiving the Duke's answer to an important despatch, and then galloped off, and was on the high road out of reach before the Duke could give the alarm to his followers.

The Duke's son and successor was William Henry, third Duke of Portland, K.G., an eminent statesman, Lord Lieutenant of Ireland, and twice Prime Minister. This Duke of Portland had much trouble with his property. At one time his Grace was involved in a lawsuit with Sir James Lowther, Bart. (afterwards Earl of Lonsdale), to whom a grant of extensive estates had been made by Government, called Inglewood Forest, appurtenant to the manor of Penrith, in Cumberland, with the township of Carlisle, previously held by the ancestors of the Duke of Portland from King William III. This remarkable cause, which involved in its effects the interests of many families, was argued 20th November,

1771, before the Barons of the Exchequer, and was, after much expense and vexation, decided in the Duke of Portland's favour.

With this Duke's son, William Henry, the fourth Duke, the Bentincks' possession of Bulstrode ended. Another and a far more ancient ducal coronet came to ornament its gates—that of Seymour, Duke of Somerset. Edward Adolphus, eleventh Duke of Somerset, bought the estate from the fourth Duke of Portland in 1810, and it has descended to Edward Adolphus, the twelfth and present Duke of Somerset, K.G., its actual owner, whose marriage with the granddaughter of the orator and dramatist, the Right Hon. Richard Brinsley Sheridan, brings also the name of Sheridan in connection with Bulstrode. For many years the present Duke of Somerset was not a sojourner at Bulstrode, but he now resides there, having gracefully rebuilt the house and made a charming mansion of it, and having restored the whole locality to that state of rural beauty which at different times captivated Saxon and Norman, monk and layman, cavalier and roundhead, judge and statesman; and which nature itself has marked out as a retirement for the thoughts of poets and the fatigues of princes.

A word or two on the former mansion, at Bulstrode. It was built by Judge Jeffereys in 1686, evidently in part from the materials of an older mansion. It was of a reddish brick—blood-stained, as the people declared it to be in Jeffereys' time. The second Duke of Portland made extensive alterations and improvements; but the third Duke pulled most of the mansion down, intending a complete renovation, which he never

carried out. He left only the late dwelling, which was tastefully constructed from the former conservatory, and which the Duke of Somerset has supplanted by the present very elegant Gothic mansion. But the park is the wonder. It is a delightful spot, containing not a single level acre, and is profusely scattered over by numerous plantations, disposed in the purest taste. To the west of the mansion's site is a fine grove of old trees, interspersed with walks leading to the flower-gardens and shrubbery, and commanding many extensive and interesting views, where the forest of Windsor and its noble castle, with the Surrey hills melting into the horizon, constitute some beautiful distant scenery. On a hill, south-east of the house, there stands a very large circular entrenchment, enclosing an area of twenty-one acres, with some large old oaks growing on its banks. In fact, the park displays all the charms that can be produced by diversified surface, commanding situation, and sylvan grandeur. But I should not conclude the description without urging the London wayfarer who may visit Bulstrode to wander a little in the neighbourhood, and return home by Beaconsfield, Stoke Pogis, and Slough. At Chalfont St. Giles, near Bulstrode, Milton wrote "Paradise Regained." An old wounded soldier of the Peninsular used to inhabit, and may still, the cottage of the poet, and to display with equal pride the very place where Milton sat, and the very bullet that was taken from the martial exhibitor's own leg at the battle of Vittoria. The inhabitants of Chalfont St. Giles are not satisfied with the fame that Milton has brought them, but they also assert that a descendant of Shakespeare's not long ago lived at Chalfont, and—

alas! for family vicissitude—worked there as a cobbler. Near also to Bulstrode, at Jordans, is a desolate and tombless cemetery—a Quaker's burial ground, where all is smooth grass but one largish mound and four or five small ones. Under these lie William Penn and his children—William Penn (lately so ably defended against Macaulay's unfounded charges, by Mr. Paget, the barrister and police magistrate), Penn, that great and good member of the Society of Friends, who, not in war, like Cæsar or Napoleon, but in the spirit of peace, laid the foundations of a state that has flourished in honoured prosperity, and has contributed not a little to the freedom and happiness of mankind.

VI.

Let the wayfarer not forget Beaconsfield, three miles from Bulstrode. Beaconsfield holds the rank of a market town, and has the reality of being one of the most picturesque country villages within the neighbourhood of the metropolis. After Stratford-on-Avon, the holy of holies in literary remembrance, and Twickenham, which Pope has made immortal, there is nowhere in England such another memory as that which decorates in chief the verdant retirement of Beaconsfield—the memory of Edmund Burke. Here did he reside during the whole of his political career; here is his grave, and hither, wending his way up the green acclivity, may now and then be seen the traveller, either native or from France or Germany, or still more distant parts, a visitor to the Medina of him whose eloquent wisdom was the first to sound amid the crash of revolution, and to summon Europe to the defence of civilization and order.

But I pass with too ready fondness to the recollection of Edmund Burke. An earlier genius has left a memory in Beaconsfield, not so venerable, it is true, as that of Edmund Burke, yet most pleasant to dwell upon —a memory which, with strange tenacity, attaches to the place far more closely, and with far more visible marks than even the memory of Burke. That genius was Edmund Waller, the first lyric poet of his time, and the worthy precursor of Robert Burns, and Tom Moore, and the other great lyrists that were to succeed. Beaconsfield was the favourite and constant residence of Waller in his lifetime, and it is in death his last earthly resting-place. Edmund Waller's stately tomb in Beaconsfield churchyard tells us, in most graceful Latinity, that "he was of the poets of his time easily the prince: that when an octogenarian he did not abdicate the laurel he had won in his youth, and that his country's language owes to him the possible belief that if the Muses should cease to speak Greek and Latin, they would love to talk in English." One high-born dame, the Lady Dorothea Sidney, owes the perpetuation of her memory to having been, as Sacharissa, the chief subject of Waller's amatory verse, and Beaconsfield, through his choice, first became a place of note. Its earliest fame was Waller, and his memory hangs round it still. The visitor will find many a mark and memorial of Waller there. The poet's magnificent seat of Hall Barn, Beaconsfield, built by himself, but improved by his son, still remains. The Waller family left it only a few years ago, when it became the property of another distinguished man, the late Sir Gore Ouseley, Bart., and at his demise it passed into other

hands. In its now uninhabited condition, dismantled of its furniture, signs of the past may be discovered on the premises, and in the picturesque domain, adorned with classic temples and obelisks. Waller had Sacharissa's portrait for constant contemplation infixed in the wainscot over the mantle-piece of his sitting-room, at his seat in Beaconsfield. That picture, which he declared, "wonders so distant in one face disclosed," remained in the place he put it, until recently torn away and sold. Alas! for the Gothic hand that took it down.

The seat of Butler's Court, or Gregories (as it was at different times called) at Beaconsfield, was Edmund Burke's property, and he here commenced that charming rural course of life which made his home so perfect and so happy. Burke delighted in society, and could not live without it. He loved and was beloved by wife, children, and friends; his servants clung to him with constant affection, and the very beggar, that received his alms, had pleasant remembrance of the gentle word that would accompany the donation. And how Burke doted on that home. "Every care," would he say, "vanishes the moment I enter under its roof." This happiness had a sad ending. Burke died in 1797, at Beaconsfield, of a broken heart, from grief for the loss of his son—his only and idolized child; and though more than seventy years have passed since then, Beaconsfield bears still visible marks of that incurable sorrow. The mansion of Gregories was no more cared for by its owner, and was sold from the family by his widow. What was an hereditary house to him who in his grief refused a peerage, with the title of Lord Burke of Beaconsfield? An accidental fire has

since destroyed the dwelling, and one can scarcely trace, with no other landmark than a few ruined offices, the site of the mansion in the now deserted but still beautiful grounds. A decayed stable alone remains, with the very stall in it where the Right Hon. William Windham, the Minister of War, when, to consult Burke, he rode down big with the fate of nations, would put up his white horse. The humble tablet in the church marks Burke's burial there, instead of in Westminster Abbey, as it would have been but for the direction in his will. "My body I desire to be buried in the church at Beaconsfield, near to the bodies of my dearest brother and my dearest son, in all humility praying that, as we have lived in perfect unity together, we may together have a part in the resurrection of the just."

A few years ago, several gentlemen of the name of Burke, or De Burgh, caused a handsome brass plate to be laid in Beaconsfield Church, over the exact spot under which are the vault and coffined remains of Edmund Burke. High honour, too, has of late been done to his memory, by the erection of his statue in front of Trinity College, Dublin, and by its being unveiled the 21st April, 1868, by H.R.H. the Prince of Wales, during his memorable visit to the capital of Ireland to be installed a Knight of St. Patrick. Burke stands before old Trinity, side by side with his friend, inimitable Oliver Goldsmith. Both statues, of perfect artistic beauty, chefs d'œuvre of the Royal Academician, John Henry Foley, himself an Irishman, proudly and lastingly proclaim by their presence that the genius of Ireland, whether in poetry or eloquence, in writing or sculpture, is immortal.

VII.

A few miles from Beaconsfield, on the way to Slough, one arrives at a long, scattered village, with the unpoetic name of Stoke Pogeis, or Pogis, but with a brilliant halo of poetry about it. Here, in the picturesque churchyard (can it have been the country churchyard of his immortal elegy?)—here, under the tombstone that he erected to his aunt and mother, lie the earthly remains of one of our sweetest bards, Thomas Gray. Some fine monuments are also in this churchyard, glittering with armorial ensigns, among them occasionally occurring the black and silver barry of four of the Hungerfords, and the sable maunch of the Earls of Huntingdon; but "the boast of heraldry, the pomp of power," seem here quite out of place. The poet, whose unfading nobility cannot be brightened by blazonry, has a monopoly of the place. Nor does he rest unhonoured even by marble trophy; for though simply interred in the churchyard, there close by stands a magnificent cenotaph to his memory, erected by worthy John Penn, Governor of Portland Castle, county of Dorset, and last hereditary governor of Pennsylvania, the grandson of that William Penn of whom we have already spoken in reverence, and the great-great-grandson, by the way, maternally of Judge Jeffereys. The vicissitudes of Bulstrode will thus have alliance with Gray's monument. At any rate, its construction in 1799 is another mark of the intellectual benevolence of the Penn family. These Penns were good genii wherever they went; and in them, that gentle spirit survived to which Hannah

More alludes in those lines to William Penn, beginning—

> "The purest wreaths which hang on glory's shrine,
> For empires founded, peaceful Penn, are thine."

Oddly enough, Hannah More links Gray to a memory of Bulstrode, in some other verse of hers; when, speaking of sensibility, she says—

> "'Tis this that makes the pensive strains of Gray
> Win to the open heart their easy way;
> Makes Portland's face its brightest rapture wear,
> When her large bounty smooths the bed of care."

Mrs. Hannah More here refers to Margaret, Duchess of Portland, the friend of Mrs. Delany, also of Bulstrode fame, whom Mrs. More does not forget:

> "Delany, too, is ours, serenely bright,
> Wisdom's strong ray, and virtue's milder light,
> And she, who blessed the friend and graced the lays
> Of poignant Swift, still gilds our social days."

Stoke, like Bulstrode, has some legal memories connected with it. First, there is that of Queen Elizabeth's Chancellor, Sir Christopher Hatton, whose dancing, which charmed his royal mistress, did not hinder him from being one of the wisest and honestest judges of his time. Hatton's successor at the manor-house of Stoke was the famous Sir Edward Coke, the pride and ornament of British jurisprudence, whose colossal effigy by Rosa, on a pillar sixty-eight feet high by Wyatt, stands loftily and haughtily at Stoke, as if prepared to remove, on instant view, any ugly impression of the law

which the recollection of Jeffereys of Bulstrode may have cast upon a visitor to these localities. Stoke Manor House, through the taste and liberality of its late and present owners, Lord Taunton and Mr. Coleman, is admirably preserved in all its pristine quaintness and decorative attraction, and is open to public inspection. It looks just as it must have done in Hatton's time: one sees the same old rooms, and as Gray's lines, that cannot be repeated too often, say, the—

> "ceiling's fretted height
> Each panel in achievement's clothing;
> Rich windows that exclude the light,
> And passages that lead to nothing.
>
> "Full oft within the spacious walls,
> When he had fifty winters o'er him,
> My grave lord-keeper led the brawls—
> The seal and maces danced before him."

Stoke Park, where the Penns so long sojourned, and where the present mansion was built by Wyatt in 1789, was till lately the seat of Lord Taunton, a peer better known by the names under which he, as a minister and statesman, achieved his reputation, viz., the Right Hon. Henry Labouchere. It is now the property of Edward J. Coleman, Esq. Stoke Park commands a view of stately Windsor and of Cooper's Hill and the Forest tracts. But I must go no further. I have already strayed too much from Bulstrode and my subject; but who will not stray when once in this fair county of Buckingham, so full of surpassing scenery and glorious recollections, where every corner has some poet to speak of, such as Milton, or Waller, or Gray, or Cowper; where mansion after man-

sion has some stirring history of its own—some pedigree of doers and of deeds of note? What I here relate of the old Park of the Shobingtons, the Whitelocks, and the Bentincks may find a rival narrative (though with, perhaps, less striking change of owners) in many a Buckinghamshire country seat. "Ex uno disce omnes:" there is, I maintain, much remarkably peculiar in those versatilities which have formed the vicissitudes of Bulstrode.

The Bonapartes.

"——— Hic Cæsar, et omnis Iuli
Progenies."—VIRGIL.

NAPOLEON'S proud assertion, that he was "the Rodolph of his race," and that his patent of nobility dated from the battle of Monte Notte, must not be received as evidence of the humble origin of the Bonaparte family, but simply as an indication of the haughty mind of the ambitious Ruler of France, which could ill brook the idea of inferiority, even in this respect, to the other royal potentates. At the moment Napoleon uttered these expressions, the star of his destiny shone the brightest, and the great European sovereigns had yielded submission to one—

. . . . . "Mightier far,
Who born no king, made monarchs draw his car."

From a remote period the Bonapartes, or B*u*onapartes according to the Italian spelling (which the enemies of the first Napoleon affected spitefully to keep up as showing him not to be French), were of distinction in Italy; and are traced in Vicomte de Magny's "Nobiliaire Universel" up to John Bonaparte, "Consul et recteur de Trévise" in 1183. The cradle of the race

seems to have been at Treviso; but the tyranny of Alberic de Romano forced many of the name to migrate to Bologna and Tuscany, where they established themselves at Florence and San Miniato, and where they subsequently held high municipal appointments.

In the Golden Book of Bologna, the Bonapartes are inscribed among the patricians of Florence, and they appear also recorded in the Book of the Nobility of Treviso. The Bonaparte coat of arms may even now be seen over some of the old Florentine houses, and the family was still existent at St. Miniato at the opening of the present century. On his first triumphant return from Italy, Napoleon found in that little town the Canon Gregoire Bonaparte, the last descendant of the San Miniato branch, and he was proudly acknowledged by the old ecclesiastic, who, at his death, in 1803, made his illustrious kinsman his heir. Some of these Tuscan Bonapartes were authors of repute: one, Nicholas Bonaparte, wrote a play, entitled "La Veuve," the manuscript of which, and a printed copy, are preserved in the Imperial Library of Paris; and another, Jacques Bonaparte, Chevalier de St. Jean de Jerusalem, was the author of a "History of the Siege of Rome, by the Constable Bourbon," which siege he had himself witnessed, and which city, in an after-age, was to furnish such remarkable chapters in the lives of his relatives, Napoleon I., and Napoleon III. His book, written in Italian, is much esteemed, and was translated into French by the late Prince Napoleon Louis, eldest brother of the present Emperor.

In the Catalogue of the proscribed and exiled partisans of the Guelphs, in their feud with the Ghibellines, the Bonapartes are named; and from Gérini I learn that these banished nobles proceeded to Sarzana and Genoa. Three of the latter line, Barthelemy, Martin, and Augustin Bonaparte, assisted as "Anziani" of the Republic, at the oath taken by the nobles to the Duke of Milan, in 1488; and a descendant of the former, marrying into the ancient house of Parenticelli, became mother of the Sovereign Pontiff, Nicholas V. It was in 1512, that François Bonaparte, of this, the Sarzana division of the family, went to Corsica, and fixing his residence at Ajaccio, founded the illustrious branch, for ever memorable as the parent stem whence sprung Napoleon and his dynasty. François' son Gabriel was father of Jerome Bonaparte, Chief of the Council of Senators (Chef des Anciens) of Ajaccio, and Deputy to the Senate of Genoa, in 1594. He left two sons: —1. François Bonaparte, Captain of Ajaccio, and Member of the Council of Ancients, in 1596, father of Sebastian Bonaparte, a distinguished scholar, born in 1603, and, 2. Fulvio Bonaparte, whose son Louis married Marie de Gondi. The son of Sebastian was Carlo Bonaparte, senator of Ajaccio, who had the nobility of his family recognized at Genoa, in 1661. His son Joseph, also senator of Ajaccio, had a son, Sebastian Bonaparte, elected "Ancien d'Ajaccio," 17th April, 1720. He was father of three sons:— 1. Napoleon Bonaparte, chief of the ancients of Ajaccio, a soldier of repute, whose only child, Isabella, was married to Colonel Louis d'Ornano; 2. Joseph Bona-

parte; and, 3. Lucien Bonaparte, Archdeacon of the Cathedral of Ajaccio, who died in 1792. The second son, Joseph Bonaparte, was acknowledged in 1759 by the Bonapartes of Florence as a member of their family, and, like his ancestors, formed one of the council of senators of his native city. His son, Carlo-Maria Bonaparte, born 29th March, 1746, went to Pisa to study law, in accordance with the custom of the Bonapartes of Ajaccio, who never ceased to remember their Florentine nobility, and invariably sent their children to complete their education in Tuscany. Returning to his native country with the degree of Doctor of Laws, he commenced practice, and attained eminence as an advocate; but the times were too troublous then in Corsica to admit of his following the calm paths of professional life. He soon resigned the gown for the sword, and becoming the especial favourite of Paoli, he assisted in the gallant and patriotic stand made against the French for the independence of his country. At the disastrous termination of the conflict, he would fain have exiled himself with his kinsman Paoli, but was dissuaded from the step by his wealthy uncle, the Archdeacon of Ajaccio, and became in the sequel reconciled to the conquering party, and protected by the French Governor.

It was in the midst of the discord of fights and skirmishes of Corsica, that Carlo Bonaparte, who is described as possessing a handsome person and great vivacity of intellect, married Letitia Ramolino,* one of the most

* The mother of Letitia married for her second husband a Swiss officer in the French service, named Fesch, and had by him a son, Giuseppe, so well and so creditably known as the amiable and high-

beautiful maidens of Corsica, and a lady of incomparable mental firmness. It should be here observed, as a fact worthy of note, that the imperial dynasty of the Bonapartes, up to the present day, has been particularly fortunate in this; that the ladies of their house, whether by birth or alliance, have been, often to a surpassing degree, remarkable for talent, beauty, strength of mind, and every gentler female qualification. During the years of Civil War, Letitia Bonaparte partook the dangers of her husband, and used to accompany him through all the toils and difficulties of the Mountain campaigns. On the establishment of the French ascendancy, Louis XV., desirous of reconstructing the Corsican nobility, issued a decree requiring all those who claimed to belong to it to prove their right, and in consequence, Carlo Bonaparte, having produced his documents, was admitted by the Council of Corsica to be noble by descent for more than two hundred years. He continued to adhere to the new state of things; acted as recorder of a tribunal in Corsica, and was representative for the nation, and a member of the General Assembly of noble deputies at the Court of the King of France. By his lovely and high-spirited wife (so well known as Madame Mère), who died at Rome in 1836, aged 86, he had a very large family; no less than thirteen children. Of these five died in infancy, the others (of whom one became an Emperor, three became kings, and one

minded Cardinal Fesch, who was born the 3rd January, 1763, and was Archbishop of Lyons, and, at one time, Primate of Gaul. He died the 12th May, 1839, universally respected, and left the ex-King Joseph Bonaparte heir to a part of his property, having bequeathed the rest to the church of Lyons, and the town of Ajaccio.

daughter was a sovereign grand duchess, and another a Queen), were Joseph, Napoleon, Lucien, Louis, Jerome, Eliza, Pauline, and Caroline.

Lady Emmeline Stuart Wortley paid a visit to Madame Mère in 1833, and has given this very interesting description of the interview:—

"I immediately followed Mademoiselle Rose into the chamber, and was introduced to the mother of Napoleon. Madame Lætitia was at that time *eighty-three* years of age, and never did I see a person so advanced in life with a brow and countenance so beaming with expression and undiminished intelligence; the quietness and brilliancy of her large sparkling eye was most remarkable. She was laid on a snow-white bed in one corner of the room; to which she told me she had been confined for three years, having as long as that ago had the misfortune to break her leg. The room was completely hung round with pictures, large full-length portraits of her family, which covered every portion of the wall. All those of her sons who had attained to the regal dignity were represented in their royal robes; Napoleon, I believe, in the gorgeous apparel he wore at his coronation. . . . She then, seeing us looking earnestly at the magnificent picture of Napoleon, which was hung close to the side of her bed, asked, if we did not admire it, gazing herself at it proudly and fondly, and saying, in French, 'That resembles the Emperor much; yes, how like him it is!' I could not help feeling that she must exist as it were in a world of dreams, in a world of her own, or rather of memory's creation, with all these splendid shadows around her, that silently but eloquently spoke of the days departed."

NAPOLEON, Emperor of the French, and King of Italy, was the second of the sons of Carlo and Letitia Bonaparte. On the events of his wonderful career I need not dwell. Instead of furnishing materials for a few pages of my little work, the vicissitudes of Napoleon Bonaparte, from his entrance—a Corsican youth—into the military school of Brienne, to his death on a lonely rock in the Atlantic, form the most memorable chapter in the world's history. Suffice it to state that he was born at Ajaccio, 15th August, 1769—that he married twice—that he died at St. Helena, on the 6th May, 1821, and that his remains, brought with reverent care from that distant island, and received with the highest honours and the most marked feeling in France, now repose, under the gorgeous dome of the "Invalides," on the banks of the Seine, and amid that French people whom he loved so well. Napoleon's first wife (the marriage took place 9th March, 1796) was Marie Frances Josephine Rose, daughter of M. Tascher de la Pagerie, a planter of St. Domingo, and widow of Eugene Alexander, Vicomte de Beauharnais, Deputy from the nobility of Blois to the States-General in 1789, but, nevertheless, a rather radical member of the National Assembly, and Commander-in-Chief of the Army of the Rhine. His niece, the daughter of his elder brother, the Marquis de Beauharnais, was the famous Madame Lavalette, who rescued her husband from prison. By Napoleon, Josephine had no issue; but by her first husband (who fell a victim to the revolutionary tribunal four days before the overthrow of Robespierre) Josephine was mother of the charming Hortense Eugenie, ex-Queen of Holland (whose son is the present Emperor of

the French), and of the gallant Viceroy of Italy, Eugene Beauharnais, Duke of Leichtenburgh. Napoleon's second consort, the Archduchess Marie Louise, daughter of Francis II., Emperor of Austria, had one son, Napoleon Francois Charles Joseph, Duke of Reichstadt in Bohemia, born 20th March, 1811, who (in consequence of his being proclaimed Emperor as Napoleon II. by his father, and so confirmed by the chamber of Peers and Deputies, at that abdication in 1815, which Napoleon never afterwards revoked), counts as second of the Napoleon sovereigns, and who died unmarried at the Palace of Schoenbrunn, near Vienna, 22nd July, 1832.

JOSEPH BONAPARTE, Count de Survilliers (the eldest son of Carlo Bonaparte), who was born at Ajaccio, 7th January, 1768, was designed for the law, and studied at the University of Padua; but the brilliant destiny of his brother opened to him an ascent to greatness which the mediocrity of his own abilities never could have attained. In 1805 he ascended the throne of Naples, and in 1808 exchanged that peaceful diadem for the more brilliant one of Spain, from which country he was expelled by the Anglo-Spanish army under Wellington.

In 1814, whilst the Emperor was engaged in the memorable campaign in defence of the French soil, the ex-King Joseph remained at Paris as Lieutenant-General of the Realm and Commandant of the National Guards; but on the arrival of the Allies at Paris he fled to Switzerland. There he purchased a valuable property, and there he remained until Napoleon's return from Elba. After Waterloo he escaped to New York. He subsequently established himself in the vicinity of Philadelphia, under the name of the Count Survilliers,

and became possessed of a fine estate. In 1799 he published a little novel called "Moina." In 1832 he took up his abode in England, and resided many years near Dulwich. In 1841 he went to Tuscany, and died at Florence the 28th July, 1844. Joseph Bonaparte married, August 1, 1794, Marie Julie de Clary, daughter of a merchant of Toulon, a hospitable friend to the family when they sojourned near Marseilles, and had two daughters:

Zenaide Charlotte Julie, born 8th July, 1801, married at Brussels, 30th June, 1826, to her cousin, Charles Lucien, Prince Musignano, son of Lucien, Prince of Canino: she died the 8th of August, 1854: her husband died on the 29th July, 1857. Their eldest surviving son is Cardinal Bonaparte.

Charlotte, born 31st October, 1802, who was married to her cousin, Napoleon Louis, Grand Duke of Berg, brother of Napoleon III., son of Louis, ex-King of Holland, and died at Florence, his widow, the 3rd September, 1839.

Lucien Bonaparte, Prince de Canino (the third son of Carlo), born at Ajaccio in 1775, imbibed at an early period revolutionary sentiments, and the elevation of his brother led to his own advancement to honours and riches. He was successively President, at its dissolution, of the Council of Five Hundred, Minister of the Interior under the Consular Government, and Ambassador to Madrid in 1801. In 1804, the year of Napoleon's assumption of the imperial diadem, he retired to Italy, and establishing his residence in the Eternal City, purchased an estate at Canino, which the Pope raised into a principality, inscribing at the same time the name of "the Prince

of Canino" among the Roman nobles. In 1810, distrustful of the security of his asylum in Italy, Lucien embarked for the United States, but was captured by two English frigates, and conveyed to Malta to await the orders of our Government. In conformity with those instructions he was transferred to England, where he arrived 18th December, and fixed himself in Worcestershire, at a beautiful residence called Thorngrove, which he was allowed to purchase, about four miles from the city of Worcester, on the Ludlow road.

Here he sojourned, devoted to literature and the repose of domestic life, until the peace of 1814 opened his way to the continent, and enabled him to return to his old friend and protector, Pius VII. During the Hundred Days he played a prominent part, and again held the portfolio of the Interior.

After the conflict at Waterloo, he urged the Emperor to make one great effort in defence of his throne; but the mighty mind of Napoleon seemed then completely crushed. He listened not to his brother's counsel; and Lucien with difficulty effected his escape to Rome. There the Prince of Canino passed the remainder of his days, much respected in private life, and there he died, on the 29th June, 1840. By his first wife, Christine Boyer, whom he married in 1795, and who died in 1801, he left two daughters, Charlotte, wife of Prince Gabrielli, and Christine Egypta, who married, in 1824, Lord Dudley Coutts Stuart. By his second wife, Alexandrine Laurence de Bleschamp, widow of Monsieur Joubertteau, Lucien Bonaparte had three sons and three daughters. Of the former, the eldest, Charles Lucien, Prince of Canino and Musignano, distinguished in the scientific

world for his zoological researches, and for his famous work, "Inconografia della Fauna Italica," was born at Paris, 24th May, 1803, and married, in 1822, his cousin, Charlotte Zenaide Julia, elder daughter of Joseph Bonaparte, Count of Survilliers, by whom (who died the 8th Aug. 1854) he (at his death, the 29th July, 1857) left issue: Joseph, Prince de Canino and de Musignano, deceased; LUCIEN LOUIS JOSEPH NAPOLEON, Cardinal Bonaparte, born 15th November, 1828; Napoleon, born 1839, Captain in the French Foreign Legion, married to Princess Ruspoli; Julie, wife of Alexander del Gallo, Marquis de Roccagiovine; Charlotte, wife of Comte Pierre Primoli; Marie, wife of Paul Comte de Campello; Augusta, wife of Prince Placido Gabrielli; and Bathilde, late wife of Louis Count de Cambacérès. The Prince of Canino resided in the Papal dominions. The other children of Lucien, first Prince of Canino, are: Louis Lucien, born in 1813, the elegant linguist and scholar, one of the senators of Paris; Pierre Napoleon, born in 1815; Anthony, born in 1816, married to Caroline Cardinali, of Lucca; Letitia, who married, in 1821, Thomas Wyse, Esq., of the Manor of St. John's, Waterford, afterwards the Right Hon. Sir Thomas Wyse, K.C.B., her British Majesty's Ambassador at Athens, who died in 1862; Jane married the Marquis Onorati, and is dead; Mary, widow of the Count Vincent Valentini di Canino; and Constance, a nun of the Sacré Cœur at Rome.

The following little anecdote may not be inappropriately introduced here, as illustrative of the vicissitudes incidental to all spheres and conditions of life:—On one occasion, Louis Philippe and his Queen, then in exile at Claremont, drove over to Roehampton to see the convent of the Sacré Cœur, which had been recently

established there by a community of French nuns. This French Order of the Sacré Cœur is one of eminent piety and high distinction, and was, in the days of the Bourbons, one of aristocratic exclusiveness. At the time of which I am speaking, the Comtesse de Grammont was, I believe, at the head of the chief house of the Community in Paris, and Madame Clifford, sister of the late Lord Clifford, was Superioress of the Roehampton branch. The royal visitors, who were incognito, asked permission as strangers to see the convent chapel, and were allowed to go over the whole establishment. The lady nun who conducted them through the house was so amiable and agreeable, that the Queen, on leaving, expressed her extreme satisfaction with the admirable arrangements of the community, and her pleasure at finding herself once again amongst her good and pious compatriots. "Perhaps," added her Majesty, "you will be interested to know who your visitors are. This gentleman is Louis Philippe—I am the Queen Marie Amélie." The nun, bowing profoundly, replied with a gentle smile—"And I am Mademoiselle Bonaparte." The strange coincidence evidently touched their Majesties, and the Queen could not refrain from giving expression to her surprise at the waywardness of fate which had thus brought together, within a convent of the old régime, the two sovereign houses of Bonaparte and Orleans.

Lucien was, after Napoleon, the ablest and most forward, though, as far as sovereign rank was concerned, the least ambitious of the Bonapartes, and at one time his literary and scientific attainments received laudation from the French savans. His "*Charlemagne*" made its first appearance in London in 1814, but the success it

met with was very indifferent. Besides, this too elaborate epic, the Prince of Canino published two other works—*Stellina*, a novel; and *The Cyrneide, or Corsica saved.*

LOUIS BONAPARTE, the fourth son of Carlo, and next brother to Lucien, was born at Ajaccio 2nd Sept., 1778, and ascended the throne of Holland in 1806. Unwilling, however, to remain the mere vassal of his brother, he abdicated in 1810, and adopting the modest title of Count de St. Leu, retired from public life, and resided principally at Florence. His wife was Hortense Eugenie de Beauharnais, Duchess de St. Leu, daughter of Josephine, by her first husband the Vicomte Eugene Alexandre de Beauharnais, and step-daughter of Napoleon. The marriage took place in 1802, and the issue of the union were three children. The eldest, Napoleon Charles, named heir to the Imperial throne, died at the Hague, the 5th March, 1807, in the fifth year of his age; the second, Napoleon Louis, Prince Royal of Holland, Grand Duke of Berg and Cleves, christened at St. Cloud by Pope Pius VII., and nominated Grand Duke of Berg and Cleves in 1809, died 17th March, 1831, from the effects of the fatigues he encountered in the Italian insurrection; and the third, CHARLES LOUIS NAPOLEON, is the present Emperor of the French, NAPOLEON III. Of their mother, HORTENSE, I will presently speak.

JEROME BONAPARTE, the fifth and youngest son, was born 15th Nov., 1784, became King of Westphalia in 1807, and commanded the army of that country in the invasion of Russia. In 1814, however, the Allies deprived him of his throne.

At Waterloo he commanded the left wing of the French army, and, on the defeat of the Emperor, re-

treated with the débris of the forces to Paris. He subsequently proceeded to Wirtemberg, and was created a prince of that kingdom by the title of Duc de Montfort. His first wife (whom he married in America in 1803, and from whom he separated in 1805), was Elizabeth Patterson, of Baltimore, a lady of station and fashion in the United States, of Irish extraction, sister of Robert Patterson, Esq., the first husband of the late Marchioness Wellesley, and grand-daughter of old O'Carroll of Carrollstown, one of the original signers of the declaration of American independence. By her he had one child, Jerome, born 6th July, 1805, at Baltimore, and now resident, I believe, in that city. He married Miss Susan Williams, and has a son Jerome. The second wife of Jerome Bonaparte was Frederica Catherine Sophia, daughter of Frederick, King of Wirtemberg, and by her he had two sons and one daughter, viz., Jerome, Prince of Montfort, Colonel in the service of Wirtemberg, who was born at Trieste, 24th Aug., 1814, and died *s. p.* at Florence, 29th May, 1847; Napoleon, Prince of Montfort, a leading politician, and a general of division, born at Trieste in 1822, who married, 30th Jan., 1859, the Princess Clotilde, daughter of the King of Italy, and has issue two sons; and Mathilde-Letitia, married to Prince Anatole Demidoff, and now so popularly known at the Court of the Tuilleries as the Princess Mathilde.

Jerome Bonaparte was a Marshal of France, and in 1852 was declared heir-presumptive to the throne, and a French prince. He died on the 24th July, 1860, at his seat, Villegenis, near Paris, and was buried in state in the chapel of St. Jerome in the Hôtel des Invalides, close to the remains of his mighty brother.

The three sisters of Napoleon were, as I have already mentioned, Mary-Anne-Eliza, Pauline, and Mary-Annunciade-Caroline.

The eldest, ELIZA, reigning Princess of Lucca and Piombino, born 3rd January, 1777, married 5th May, 1797, Pascal de Bacchiochi, a noble Corsican, created by his Imperial brother-in-law Grand Duke of Tuscany, under the title of Felix I., and had one son, Frederick Bacchiochi, who died at Rome, and one daughter, the Princess Napolienne-Eliza, married to the Comte Camerata. Eliza, Princess of Lucca, died in 1820.

The Emperor's second sister, the gentle, devoted, and beautiful PAULINE—so beautiful that she was the original of the Venus of Canova—was born 22nd April, 1782, and was created Princess and Duchess of Guastalla 31st March, 1806; but on the 26th of the following May, on the annexation of the duchy to the kingdom of Italy, her Highness received in compensation 6,000,000 of livres. She married, first, General le Clerc, and secondly, the Prince Don Camillo de Borghese, and died at the Borghese Palace, near Florence, 9th June, 1825. Through a life of much misfortune and anxiety, Pauline clung with earnest and heroic attachment to her Imperial brother and his family: her only child, a son by her first husband, died young, and his loss was nearly fatal to her. Her last illness was brought on by sorrow for her brother Napoleon's death.

CAROLINE, Napoleon's youngest sister, born 25th March, 1783, married the gallant Joachim Murat, King of Naples, and had two sons and two daughters: Napoleon Achille Murat, Prince Royal of Naples, born in 1801, who purchased property and fixed his residence

in Florida; he married in America Miss Caroline Dudley, a grand niece of Washington's, and died without issue in 1847; His Highness Prince Napoleon Lucien Charles Murat, head of the house of Murat, "Senateur," at one time French Ambassador at Turin, who, born in 1803, married Caroline Georgina Fraser, and has three sons and two daughters; Letitia Josephine (deceased), married to the Marquis Pepoli, a nobleman of Bologna; and Louisa-Julie-Caroline, married to Count Jules Rasponi. The widow of Murat lived for many years in Austria under the name of Countess of Lipano, and died at Florence, 18th May, 1839, of the same disease, cancer in the stomach, as her brother Napoleon.

I now come to the present Emperor, and his mother, the beautiful and interesting Hortense de Beauharnais.

Poor Hortense! Her loveliness, her fascination, and her misfortunes made her the Mary Stuart of the Imperial house. I have already said that all the ladies of the Napoleon dynasty were remarkable women; but among them, even including Josephine, Hortense stood pre-eminent. She combined the graces and the loving nature of her mother with the talent and spirit of her gallant brother Eugene. Her whole life was one of adventurous change, and would in itself fill a volume of vicissitudes. I regret that I have only room to touch on the principal features of her eventful career. Born a few years before the Revolution, her childhood was passed in the midst of horrors. At one time, while her father and mother lay in the dungeons of Robespierre, she and her brother were actually so destitute, that he, the future Viceroy of Italy, had to go as apprentice to a carpenter, and she, the future Queen of Holland, had

to earn her livelihood at a work-woman's. Robespierre and his gang had murdered her father just before the 9th Thermidor; but when that day of retribution rid the earth of the worst monsters of "the Terror," Josephine obtained her freedom, and resumed her position in society. General Bonaparte was already a great man. Eugene's coming to ask him to get him back his dead father's sword, brought on the acquaintance and the marriage of the General with Josephine. The 18th Brumaire made Bonaparte First Consul, and placed his wife and her children in the Tuilleries. Hortense had completed her education in the admirable seminary of Madame Campan, and now it was that her beauty, her captivating manners, and her varied powers of mind burst in full splendour on the Parisian world. Her step and adopted father, Napoleon, was dotingly proud and fond of her, but his policy and ambition stood in the way of her first and best love. A scion of the old noblesse, M. de Paulo, courted her, and she responded to his suit; but though he was a gallant gentleman, and had become Napoleon's friend, yet when he asked for the hand of Hortense, exile was the answer he received. Hortense was married to Louis Bonaparte, and two years after their nuptials, Napoleon was an Emperor, and Louis and his wife were a prince and princess of the blood imperial. This, amid the opening magnificence of the Empire, was the most brilliant period of Hortense's life, and it was now that she first produced some of those beautiful musical compositions, which alone would have perpetuated her name. The earliest of them breathe a tone of melancholy, which seems to accord with her disappointed affection. "Partant pour la

Syrie" was of gayer complexion than the rest, and charmed all Paris at the time, but little could its author then foresee the extent of its future popularity and fame. That song was to be the national air of France when her own loved son became France's Emperor. It was to make itself heard throughout the whole globe, and was to call men to victory at the Alma and Inkermann, at Solferino and Magenta; was to be the Frenchman's rallying note in peace and war, and mingling with "God save the Queen," was to cheer that bond of union which, I trust in God, France and England may never have to break again. There is an edition of Hortense's compositions exquisitely illustrated by drawings of her own. In 1806, Louis and Hortense became King and Queen of Holland; she was now the mother of two sons, and in 1808, when she was in Paris, a third was born, the future Emperor of France. Her eldest child died an infant: the other two absorbed her utmost affection. Hortense's marriage had not been a happy one, from no particular fault of herself or her husband, but from sheer incompatibility of habits and feelings. They lived mostly separate, but Hortense's whole soul was in her children. Misfortune was soon, it would seem, to be her constant attendant. First came the divorce of her mother, and then the dethronement of Napoleon. When Louis XVIII. returned in restored royalty to Paris, he found Hortense there, and he, a poet and a man of letters, as well as a monarch, could not resist her accomplishments and fascination; the old King was completely captivated, and he created her Duchess of St. Leu. But "outre ne sers" is the Beauharnais motto, and Hortense would serve none but

her own. It is said, that through her influence with Louis, she obtained information that helped the return from Elba. Be that as it may, it is certain that the King, when restored again, was persuaded by his courtiers that he had been somewhat fooled in his attentions, and poor Hortense was most harshly treated. She was driven from Paris and from France, and, owing to the interference of the French Government, she had much difficulty in finding anywhere a resting-place. At last, the father of her brother Eugene's wife, Maximilian, King of Bavaria, afforded her protection. She took up her abode at Augsburg; here she remained till she ceased to be the object of pursuit or persecution, and then she went to live at a Château on the Lake of Constance. Her brother Eugene was her neighbour. Here she was surrounded by a little court of attached friends, and the time passed in intellectual and graceful retirement. Poet, artist, composer, and even actress, the Duchess provided constant amusement for her circle, and for those to whom she extended her hospitality; she would sing her own compositions, and now and then display marked dramatic powers in the little dramas that the company got up. There is, in a bygone number of the New Monthly Magazine, a charming description, by an English lady who at that period visited her, of the Duchess of St. Leu, and her mode of life. But these more happy hours of Hortense were soon to end, and she was once more to be a wanderer. In 1824 her beloved brother Eugene died: in 1831 the insurrection in Italy deprived her of one of her sons, and increased her care for the other, whom the affair of Strasbourg sent an exile from France. This calamity brought on his

mother's illness and death. Her son came in haste from England to attend her, and succeeded, despite of every obstacle, in reaching her then residence, the Château of Arenenberg in the Swiss Canton of Thurgau. Here she breathed her last in his arms, on the 5th Oct. 1837, just as that cloud had set darkly upon him, to be only dispersed by a light, fulfilling even Hortense's fondest views of the future—a light no other than the again risen sun of Imperial France.

The present Emperor, NAPOLEON III., was born at Paris, 20th April, 1808, in the palace of the Tuilleries, and the event was hailed with enthusiasm by the French people as another security for the continuance of the Napoleonic dynasty.

At the period of his birth his father was King of Holland, but he afterwards resigned his throne from a conscientious scruple that he could not retain it consistently with the interests of Holland and France. I ponder in wonder over the vicissitudes in the life of the consummate politician and marvellous man who now rules over France. Perhaps no alternations of fortune have ever been so strange as his. Within the last thirty-seven years he has played many parts; at one time the leader of an Italian revolt, then an exile and an author, then the invader of Boulogne, then a prisoner at Ham, then again an exile and a private gentleman in London, where he loyally acted as one of the special constables; then the chief of a French republic, and finally the emperor of a mighty people, excelling in his love and maintenance of peace, and rivalling as a statesman and a soldier, his uncle, the most memorable ruler and the greatest captain of

France. It may be interesting to briefly recall the marked features of his career. After the expulsion of the Bonapartes in 1815, the ex-queen of Holland, taking with her her little boys, retired into Bavaria, but, being driven thence by the altered temper of Louis XVIII., she had to seek another place of refuge, and finally, after a brief sojourn in Rome, established herself in the castle of Arenenberg in Switzerland, where she resided for several years, and where she eventually died. Here, under the guidance of his all-accomplished mother, and amid a simple and energetic people, Louis Napoleon pursued his studies, and not only devoted himself to literature and science, but took advantage of the vicinity of the camp at Thun to acquire a knowledge of military duties. "Every year," says a contemporary writer, "he carried the knapsack on his back, ate the soldier's fare, handled the shovel, the pickaxe, and the wheelbarrow, would climb up the mountains, and, after having marched many leagues in the day, return at night to repose under the soldier's tents."

When the Bolognese revolution of 1831 broke out, Louis Napoleon and his elder brother took an active part in the campaign, and, aided by General Sercognani, defeated the Papal forces in several places; but their successes were of short duration. The two princes were soon deprived of their command, and banished from Italy. Meanwhile the elder brother fell sick at Faenza, and died shortly afterwards, on the 27th March, 1831; and Louis Napoleon, hemmed in by Austrian soldiers, most vigilant to capture him, only escaped by assuming the livery of one of Hortense's servants. Ultimately mother and son reached Cannes, the spot so memorable

as that on which the great Emperor first set foot on his return from Elba: thence they proceeded to Paris, to claim the generosity and hospitality of the King of the French. This was refused them. The Prince then craved permission to serve in the French army, even in the humblest station; but his prayer was rejected, and his immediate departure from French soil insisted on. The death of the Duke of Reichstadt made him still more dangerous, for, according to the precedence laid down by Napoleon I., he (or, more strictly, his father, then alive) was now heir-male of the Imperial house. Driven from his native land, and apparently from all chance of serving France, he returned once again, after passing a short time in England, to his former Swiss residence. In this seclusion the Prince spent a few years devoted to literature and political meditation. There it was that he, the future historian of Cæsar, wrote his famous "Rêveries Politiques," as well as his "Considérations Politiques et Militaires sur la Suisse." At length, in 1836, on the evening of the 28th of October, "abandoning this happy existence," the Prince arrived at Strasbourg, "impelled," to use his own words, "to run all the risks of a most hazardous enterprise by a secret voice that led him on, and by a feeling, which for no consideration on earth would he have postponed, that the moment for action had arrived." Every one knows how the attempt at Strasbourg miscarried, and how Louis Napoleon had once again to seek shelter in a foreign land. He went this time to America, and remained there until called back to Europe by the fatal illness of his mother. Hortense's letter, announcing her precarious state, bears so feeling a testimony to the filial regard of her son, that

I venture to introduce it here, as exhibiting the Emperor in that domestic and amiable light which, as son, husband, and father, has adorned the memorials of his political life:—

"My Dear Son,

"I am about to undergo an operation which has become absolutely necessary. In case it should not terminate successfully, I send you, in this letter, my blessing. We shall meet again—shall we not?—in a better world, where may you come to join me as late as possible! And you will believe that, in quitting this world, I regret only leaving yourself, and your fond, affectionate disposition, which alone has given any charm to my existence. This will be a consolation for you, my dear friend—to reflect that, by your attentions, you have rendered your mother as happy as circumstances would allow her to be. You will think also of all my affection for you; and this will inspire you with courage. Think upon this, that we shall always have a benevolent and distinct feeling for all that passes in this world below, and that, assuredly, we shall all meet again. Reflect upon this consolatory idea; it is one which is too necessary not to be true. And that good Arese, I send him my blessing as to a son.

"I press you to my heart, my dear friend. I am calm, perfectly resigned; and I would still hope that we may meet again, even in this world.

"Your affectionate mother,

"3rd April, 1837." "Hortense."

After the death of his mother, which occurred on the 5th October, 1837, Prince Louis Napoleon again took up

his abode in Switzerland; but in the following year, the French Government, alarmed at the near proximity of the exile, made a demand on the Helvetic Confederation for his expulsion; a demand which was as firmly and unhesitatingly refused. Louis Philippe threatened to enforce his requirement by arms, and the gallant Swiss, with equal resolution, prepared to resist force by force. In this crisis, Louis Napoleon, unwilling that the generous and hospitable land which had sheltered him so long should suffer on his account, decided on leaving Switzerland. The subsequent residence of Louis Napoleon in England is so well remembered that I will not refer to it, further than to mention that it was during his stay amongst us that he published his "Idées Napoléoniennes." In 1840 he made another effort to restore the Napoleon dynasty by the bold but ill-concerted landing at Boulogne, and being taken prisoner, was tried by the Chamber of Peers, and sentenced to imprisonment for life in a French fortress.

Thus seemed terminated the career of this enterprizing and able Prince. But his destiny was not yet accomplished. In 1840 he entered the Château of Ham, and for six long years remained immured in that state prison, occupying himself with his unfailing resource, literature, and political thought. His patient submission to his fate was rarely disturbed. On one occasion, however, harassed by petty annoyances and indignities, he addressed a protest to the French Government, so eminently characteristic that I cannot refrain from giving one or two extracts:—

"In the nine months during which I have now been in the hands of the French Government," remonstrates

the illustrious captive, "I have submitted patiently to indignities of every kind. I will, however, be no longer silent, nor authorize oppression by my silence.

"My position ought to be considered under two points of view—the one moral, the other legal.—Morally speaking, the government which has recognized the legitimacy of the head of my family is bound to recognize me as a prince, and to treat me as such.

"Policy has rights which I do not dispute. Let government act towards me as towards its enemy, and deprive me of the means of doing it any harm; so far, it would be justified. But, on the other hand, its conduct will be dastardly if it treat me, who am the son of a king, the nephew of an emperor, and allied to all the sovereigns of Europe, as an ordinary prisoner.

"The simplest civility of look is regarded as a crime; and all who would wish to soften the rigours of my position without failing in their duty, are threatened with being denounced to the authorities, and with losing their places. In the midst of this France, which the head of my family rendered so great, I am treated like an excommunicated person in the thirteenth century.

"The insulting inquisition which pursues me into my very chamber, which follows my footsteps when I breathe the fresh air in a retired corner of the fort, is not limited to my person alone, but is extended even to my thoughts. My letters to my family, the effusions of my heart, are submitted to the strictest scrutiny; and if a letter should contain any expressions of too lively a sympathy, the letter is sequestrated, and its writer is denounced to the government.

"By an infinity of details too long to enumerate, it appears that pains are taken, at every moment of the day, to make me sensible of my captivity, and cry incessantly in my ears, *Væ victis!*

"It is important to call to mind that none of the measures which I have pointed out were put in force against the ministers of Charles the Tenth, whose dilapidated chambers I now occupy. And yet these ministers were not born on the steps of a throne; and, moreover, they were not condemned to simple imprisonment, but their sentence implied a more severe treatment than has been given to me; and, in fine, *they were not the representatives of a cause* which is an object of veneration in France. The treatment, therefore, which I experience is neither just, legal, nor humane.

"If it be supposed that such measures will subdue me, it is a mistake. It is not outrage, but marks of kindness which subdue the hearts of those who suffer."

This remonstrance produced its effect, and the Prince's captivity was rendered less irksome; but still it went on year after year until 1846, when Louis Napoleon at last effected his escape by means graphically narrated in his own letter, and in the evidence of Dr. Conneau, when examined before the local tribunal, both of which statements I annex:—

Thus writes the Prince himself:

"My desire to see my father once more in this world made me attempt the boldest enterprise I ever engaged in. It required more resolution and courage on my part than at Strasburg and Boulogne; for I was determined not to submit to the ridicule which attaches to those who are arrested escaping under a disguise, and a

failure I could not have endured. The following are the particulars of my escape:—

"You know that the fort was guarded by four hundred men, of whom sixty soldiers acted daily as sentries outside the walls. Moreover, the principal gate of the prison was guarded by three gaolers, two of whom were constantly on duty. It was necessary that I should first elude their vigilance, afterwards traverse the inside court, before the windows of the commandant's residence; and, on arriving there, I should still have to pass by a gate which was guarded by soldiers.

"Not wishing to communicate my design to any one, it was necessary to disguise myself. As several rooms in the part of the building which I occupied were undergoing repair, it was not difficult to assume the dress of a workman. My good and faithful valet, Charles Thélier, procured a smock-frock and a pair of sabots, and, after shaving off my moustaches, I took a plank on my shoulders.

"On Sunday morning I saw the workmen enter at half-past eight o'clock. Charles took them some drink, in order that I should not meet any of them on my way. He was also to call one of the turnkeys, whilst Dr. Conneau conversed with the others. Nevertheless, I had scarcely got out of my room before I was accosted by a workman, who took me for one of his comrades, and at the bottom of the stairs I found myself in front of the keeper. Fortunately, I placed before my face the plank which I was carrying, and succeeded in reaching the yard. Whenever I passed a sentinel or any other person, I always kept the plank before my face.

"Passing before the first sentinel, I let my pipe fall,

and stopped to pick up the bits. There I met the officer on duty; but as he was reading a letter he paid no attention to me. The soldiers at the guard-house appeared surprised at my dress, and a chasseur turned round several times to look at me. I next met some workmen who looked very attentively at me. I placed the plank before my face; but they appeared to be so curious that I thought I should never escape, until I heard them say 'Oh, it is Bertrand!'

"Once outside, I walked quickly towards the road to St. Quentin. Charles, who had the day before engaged a carriage, shortly overtook me, and we arrived at St. Quentin. I passed through the town on foot, after having thrown off my smock-frock. Charles procured a post-chaise, under pretence of going to Cambrai. We arrived, without meeting with any obstacles, at Valenciennes, where I took the railway. I had procured a Belgian passport, but I was nowhere asked to show it.

"During my escape, Dr. Conneau, always so devoted to me, remained in prison, and caused them to believe that I was unwell, in order to give me time to reach the frontier. Before I could be persuaded to quit France, it was necessary that I should be convinced that the Government would never set me at liberty if I would not consent to dishonour myself. It was also a matter of duty that I should exert all my efforts in order to be enabled to solace my father in his old age."

Dr. Conneau, the escape having been discovered, was brought before the local tribunal and examined. In answer to the Judge's interrogatories, his statement was as follows:—

"I tried to conceal the departure of the Prince in

order to give him time to escape. I was anxious to gain, in this way, at least twenty-four hours, if possible. First of all, I closed the door leading from the prisoner's chamber into the saloon. I kindled a strong fire, although the weather was really very hot, to support the supposition that he was indisposed. About eight o'clock a packet of violet plants arrived by the diligence. I told the keeper to fill some pots with earth, and prevented him from entering the Prince's saloon. About half-past eight o'clock the man-of-all-work came and asked me where we would breakfast. 'In my room,' I replied. 'I shall fetch the large table,' said he. 'It is unnecessary,' I answered; 'the General is unwell, and will not breakfast with us.'

"My intention was, in this manner, to push off further knowledge till the next day. I said the Prince had taken medicine. It was absolutely necessary that it should be taken, accordingly I took it myself. I then took some coffee and threw it into a pot of water, with some crumbs of bread, and added nitric acid, which produced a very disagreeable smell, so that the man-of-all-work might be persuaded that the Prince was really ill.

"About half-past twelve I saw the commandant for the second time, and informed him that the Prince was somewhat easier. * * * Every time that I came out of the small saloon, in which the Prince was supposed to be lying on a sofa, I pretended to be speaking to him. The man-of-all-work did not hear me. If his ears had been at all delicate, he would have been quite able to hear me speaking.

"The day passed on very well till a quarter-past

seven o'clock. At this moment the commandant entered, with an air somewhat stern. 'The Prince,' said I, 'is a little better, commandant.' 'If,' replied he, 'the Prince is still ill, I must speak to him—I must speak to the Prince.'

"I had prepared a large stuffed figure, and laid it in the Prince's bed with the head resting upon the pillow. I called the Prince, who *naturally enough*, made no reply. I retired towards the commandant, and indicated to him, by a sign, that the Prince was asleep. This did not satisfy him. He sat down in the saloon, saying, 'The Prince will not sleep for ever. I will wait.'

"He now remarked to me, that the time for the arrival of the diligence was passed, and expressed his wonder that Thélier was not returned. I stated to him that he had taken a cabriolet. The drum beat, and the commandant rose and said, 'The Prince has moved in bed—he is waking up.'

"The commandant stretched his ears, but did not hear him (the supposed Prince) breathe. I did the same, and said, 'Let him sleep on.' He drew near the bed, and found a stuffed figure. He immediately turned towards me, and said, 'The Prince is gone! At what time did he go?' 'At seven in the morning.' 'Who were the persons on guard?' 'I know nothing!' These were the only words which were interchanged between us. The commandant left the room."*

The Prince hastened to England, and again took up his residence in London, where he mixed much in

* For the statement of Dr. Conneau, as well as for the Prince's own narrative of his escape, I am indebted to a very interesting work, by a British officer, entitled "Napoleon III."

society. In 1848, the Orleans dynasty was overthrown, and shortly after, the sentence of banishment against the Imperial family was reversed, but the Prince—fearful that his presence in Paris, in the then unsettled state of France, might lead to tumults—delayed his return, and during the interval on the memorable 10th April, 1848, the day of the great Chartist demonstration, he enrolled himself as a special constable in London. Within eight months after, the French people, by a vast majority (the exact number was 5,434,226), elected the heir of the Bonapartes President of the Republic; and in 1852, he became Emperor, by a still more marked manifestation of the popular will, 7,864,180 votes having been recorded.

His marriage to Eugenie Marie de Guzman,* Countess de Theba, born 5th May, 1826, occurred on the 29th January, 1853, and the birth of the Prince Imperial, Napoleon Eugene Louis, followed on the 16th March, 1856.

I should in conclusion particularly remark, that her Imperial Highness, the Grand Duchess Dowager of Baden, and widow of the Grand Duke Charles Louis, Stephanie, née de Beauharnais, was adopted by Napoleon I., she being the daughter of Claude de Beauhar-

* The family of Guzman (of which the French Empress is a descendant) is one of the most illustrious and historic houses in Europe; being the parent stock from which have sprung the Dukes of Medina de las Torres, the Dukes of Medina Sidonia, and the Counts Dukes of Olivares, and the Marquesses and Counts of Montijo, Counts of Theba, and Grandees of Spain. In addition to the name of Guzman, Her Majesty is entitled to that of Portocarrero, which recalls likewise great historical associations. The Empress Eugenie is not the first of her race who has been called to a throne; in 1633, Donna Louisa Francesca de Guzman married the King of Portugal, Don John IV., of Braganza.

nais, Peer of France, last Count des Roches-Baritaud. Napoleon III. is consequently her cousin. Her daughters are the present Princess of Hohenzollern Sigmaringen, and the present Duchess of Hamilton and Brandon. Such, on the whole, is this mighty and wide-extended family of Bonaparte, whose head at one time was certainly, like Nebuchadnezzar, "the terrible of the nations." May the land that was waste and desolate become, under their future influence, like the garden of Eden!

In 1861, shortly after the appearance of the first edition of this work, a very obliging and intelligent correspondent, then just returned from a visit to Ajaccio, Mr. William Otter Woodall of Scarborough, favoured me with the following description of Napoleon's birthplace:—

"Following from the Place du Diamant, one of the main streets of Ajaccio, leading towards the harbour, and turning out of it again shortly to the right, I passed up a narrow street and found myself in a little square about twelve yards long and as many wide. On one corner of it, its name, Place Letitia, written in letters faded from the dust and decay of years could be discerned; in the centre a few flowers; but the elm tree mentioned by Gregorovius has disappeared.

Occupying nearly one side of it is a house—a quiet, ordinary looking house—in colour, yellow, two stories in height, with a stone balustrade on the top. On one side of it is a narrow passage, communicating with another street: there is a thoroughfare through this passage; and the people who pass constantly by, brush against the corner of this house; and they have dirted

and discoloured it, and the lower part has the mark of their feet. Houses adjoin on the other side.

In the centre is the door, with one step to it: over the door is a tablet in marble, let into the wall, on which the following inscription may be read:—

Napoleon
est né dans cette
maison
Le XV Aôut MDCCLXIX.

From a window on the right hand side of the entrance, a glimpse of the interior may be caught. This window looks into the kitchen, a square solid looking room, in which a few flags and coloured lamps used on illuminations are now kept. I was looking into this room, and leaning against the bars, when a soldier passing, seeing I was a stranger, pointed out a small red house close by, where he said I might obtain the keys. I accordingly rang at the bell; and a woman, guessing my errand from my appearance, came down immediately to let me in.

Introducing a singular looking key, and turning the creaking lock with some difficulty, the door swung back on its hinges, and I found myself on the threshold of Napoleon's house. On entering, on the right is the kitchen above mentioned, about a foot below the level of the entrance hall: there is a large fire-place in it; the floor is curiously paved with stone, but it contains nothing but what can be seen from the outside. It is an ordinary, useful kitchen—nothing more.

The stairs start immediately from the front door, and there is scarcely any passage. They are steep, and con-

structed of red tiles, and the banister is made of iron: both the flooring of the stairs and this iron banister are the same as were in the house in the childhood of the first Napoleon.

Ascending the two first flights, I arrived at the landing on the first floor. There is a door on each side. One of these doors leads into the old dining-room; the other into a room whose purpose cannot be gathered from its emptiness now, but which in all probability was a reception room. Outside, between these two doors, hanging on a wheel affixed to the wall, is a bell, used in the time of Carlo Bonaparte to summon the family to dinner. A piece of discoloured rope was still attached to it; and as I rang it, its shrill penetrating notes, which must have so often fallen on Napoleon's ears, sounded strangely solemn in that large deserted echoing house.

Passing through one of these rooms, like the rest of the house entirely devoid of furniture, and retaining nothing of its former appearance but the pleasant gleam of its well polished floor, I came to a small room on the right hand—a room scarcely fifteen feet long. On the wall on the left hand is the fire-place, ornamented with a curious chimney-piece; past the fire-place on the same side, a door leading into another room. The ceiling is low, the room is ill lighted, and but a mere passage room; but here, on the 15th of August, in the year 1769, Napoleon Bonaparte was born.

There was no furniture in it when I visited it; over the chimney-piece, however, surrounded by a circle of roses, was the letter "N," in flowers, and beneath it a cross, formed also of roses, and quite fresh. Whether ordinarily there are these flowers in it, or whether it

was by a mere chance I found them there, I cannot say, but the roses seemed but recently gathered, and it is possible some devout admirer of Napoleon's may pay continual homage to him by decorating his room. Be it, however, as it may, they had a pleasant look there, those roses, and were the only sign of care and attention the deserted house contained.

Close by is the study, a narrow desolate looking closet, where Napoleon used to sit and work—empty like the rest of the house. Other rooms adjoin these, and doors from some of them open into a sort of terrace at the back, where one or two empty tubs, formerly containing orange trees, are the only things now to be seen. Above this floor is another story.

I went carefully into every room in the house, and found the same emptiness and desolation reigning in each. I had my attention drawn specially to some, as being the ones formerly occupied by other members of the Bonaparte family; but having visited and passed that little room on the first floor, I could not find much interest elsewhere. I went there once more before I left, and my guide having descended before me, I stood for some minutes alone, quietly gazing about the room. Empty and deserted as it is, in spite of national feelings and national prejudices, there is yet something intensely interesting about the place. One other room alone, perhaps, can claim from its connection with Napoleon as much interest as this—the room in which he died in St. Helena.

It was a bright day in June when I visited the house; and the rooms, pleasantly darkened by their blinds, felt delightfully quiet and calm. No sound penetrated any

of the windows, and except the noise of my footsteps as I passed through, a dead silence reigned in every room. There was something inexpressibly quiet about the place, and I could not help thinking as I turned reluctantly away from this empty deserted house, and slowly descended the stairs, leaning on the iron banister over which Napoleon's hand must so often have passed, as I caught through the open door a glimpse of the cheerful Place Letitia, warmly lighted up by the beams of a mid-day sun, how Napoleon, in his lonely exile at St. Helena, must have longed for a farewell sight of his Corsican home, and the house where he was born."

Mr. Woodall visited Ajaccio seven or eight years ago. Various renovations have, I believe, been since made by the direction of the Emperor and Empress.

The Laws of Lauriston.

"Sous l'auguste et sage Régence
D'un Prince aimant la bonne foi,
Law, consommé dans l'art de régir la finance,
Trouve l'art d'enricher les sujets et le Roi."

Verses at the time to Law.

"They are not in the roll of common men."

SHAKESPEARE.

AMONG the families of this empire who have been celebrated in foreign countries, there are none more remarkable than the family of Law of Lauriston, in Scotland. Other houses may have had isolated members distinguished in civil or military service abroad, but the Laws can boast of producing, at two different periods, two men, the one a minister of finance, and the other a statesman and a soldier, both of whom have had prominent connection with the history of France. Among the *dramatis personæ* of the Duke of Orleans' Regency, undoubtedly the chief actor was John Law of Lauriston; and at a subsequent time, especially at the Peace of Amiens, foremost rank must be given to the gallant and sagacious James Alexander Bernard Law, a Marquis and a Marshal of France. The coronet of the latter has survived him, and is borne by his grandson, Alexander Louis Joseph Law, the third and present Marquis, a nobleman of high credit and position in Paris. This

fact gives the Law family the further and peculiar honour of being one of the very few of French noblesse of pure Scottish descent still resident and flourishing in France.

The vicissitudes of these Laws, as may be supposed from the figure they have cut in the world, have been indeed of a most singular and varied description, and are well deserving of the following chapter in this volume. Let me begin with decidedly the greatest man of the race, John Law the financier; but before entering on his career, so much lauded by some, and so outrageously and unjustly blamed by others, it behoves me to show that, so far from being, as is asserted, a man of obscure and humble origin, he was really allied by birth to some of the noblest families in Scotland. I am, therefore, the more explicit in referring to Law's pedigree, thus:—

The family of Law, of which the Laws of Lauriston are so distinguished a branch, is of very ancient standing in Scotland, and has made itself conspicuous as well by its own deeds as by its numerous alliances with the very first of the Scottish nobility. Out of Scotland, the rank and fame it has achieved are remarkable. In France, the celebrity of the Laws of Lauriston is historic, and another line of the Laws, which settled in England, can boast of the mitres and coronets which the house of Ellenborough, so eminent in divinity and jurisprudence, has obtained. The Laws were, centuries ago, Free Barons in Scotland; and their descent from and before the reign of King Robert III., down to the present period, admits of the clearest proof. Nisbett, in his Heraldry, gives their arms, as borne by Law of Law-

bridge, Free Baron in Galloway, *arg. a bend and in chief a cock gu.:* crest, *a cock crowing.* These arms, with some slight alterations, are the ensigns of the present Earl of Ellenborough and the present Marquis of Lauriston. The immediate ancestor of the Laws of Lauriston was Dr. James Law, of Lithrie and Burntown, Archbishop of Glasgow, who married Marian, daughter of John Boyle, of Kelburn (ancestor of the present Earl of Glasgow), and left a son, James Law, who assumed the title of Free Baron of Burntoun, in Fifeshire, from the estate purchased for him by his father, and who, upon taking such title, added another cock gu. to his arms, and adopted the motto "Nec obscura nec ima," now borne by the Marquis of Lauriston. This James Law's eldest surviving son and heir, James Law of Burntoun, married Margaret, daughter of Sir John Preston, of Preston Hall, and had issue James Law of Burntoun, his successor, and a younger son, WILLIAM LAW, who was an eminent banker and goldsmith, of the city of Edinburgh, and who, with the fortune he made, purchased the lands of Lauriston and Randleston, with the castle of Lauriston, in the co. of Midlothian, and entailed the whole estate (giving a life enjoyment to his wife) upon his family. He married Jean Campbell, a scion of the noble house of Argyle, and cousin of the great John Campbell, Duke of Argyle and Greenwich, and of his brother, Archibald Campbell, Earl of Islay, who succeeded him as Duke of Argyle. By this lady, William Law of Lauriston left six sons and four daughters. The eldest of these sons was the famous

JOHN LAW, Marquis of Essiat, of Charleval and Touey,

Count of Tancarville and Valençai, and Comptroller-General of the Exchequer in France, who was born in Cramond, Midlothian, the 21st April, 1671. At fourteen years of age he lost his father, but it was from his mother that he was to take the estate of Lauriston; and to her was he indebted for another and a far greater boon—an admirable education. It was the direction that she, perceiving the bent of his mind, gave to her son's studies, that caused him to become so perfect a proficient in arithmetical and commercial knowledge. She was also well aware of his love of pleasure and expense; and she thought, and not without reason, that the acquisition of the solid sciences for which he showed such capacity, would eventually make up for the dissipation that was likely to lead him astray. The worthy lady died when Law was in his one-and-twentieth year, leaving him the sole possession of Lauriston and Randleston.

Law, with this inheritance, burst at once into boundless extravagance, and soon wasted all the immediate proceeds of his property. He then looked about him. He could not resign being the gentleman of fashion and gaiety in Edinburgh, and he turned his attention to continuing the style he lived in, by means of his talents as a man of commerce.

His learning and ability, wonderful for one so young, soon availed him in the mercantile and banking world. He was not long thus engaged, before he brought himself into the notice of the King's ministers for Scotland, and he was consulted by them on the best mode of arranging the public accounts, and remedying the want of a circulating medium in Scotland. As a way of

effecting this, he proposed the establishment of a bank of issue, which, according to his daring plan, might send forth paper money to the amount of the value of all the lands in the kingdom. This idea was no doubt the basis of those projects which subsequently gave such celebrity to his name. It is pretty sure that Law derived pecuniary advantages from his communications with the Scottish ministers. Law at this time, according to a contemporary account, is described as "a person of imposing mien and very handsome face, highly educated, displaying much intellect and eloquence in conversation, and having rare address in all corporal exercises—in fine, a perfect gentleman."

About 1694, the love of adventure and the desire of display brought Law to London. Here, howsoever he had acquired his fresh wealth, he lived in the most brilliant way, vying with the leading young men of fashion, and proved so remarkable a gallant himself, that he was designated by the then favourite distinction of Beau, and was called Beau Law. An untoward event, though perhaps fortunate for his future career, was now to change his course, and to rouse him from a condition far too trifling for one of his powers of calculation and action. This incident was a duel; but to relate it rightly, I must introduce his opponent, another exquisite of the day, one Beau Wilson, upon the scene.

This Beau's grandfather was Rowland Wilson, a citizen of London, and the founder of Merton Hospital, county of Surrey. He was descended from a family that has long been of consideration in the counties of Norfolk and Leicester, and whose representative is the Right Hon. Henry William Wilson, Lord Berners.

The Wilsons have formed alliances with many ancient families, as the Walpoles and the Knyvets. At this day also, the family is further distinguished by the gallant deeds of Lord Berners' cousin, the hero of Delhi, the present Major-General, Sir Archdale Wilson, Bart. and G.C.B. The Beau himself, Edward Wilson, was grandson of the above Rowland, and fifth son of Thomas Wilson, Esq., of Keythorpe, High Sheriff of Leicestershire in 1684-5. "Beau Wilson," says the London Journal of the 3d December, 1721, "was the wonder of the time he lived in. From humble circumstances [or, rather, from the moderate fortune of a private gentleman's younger son] he was on a sudden exalted to a very high pitch. For gay dress, splendid equipage, and vast expense he exceeded all the Court. How he was supported few truly knew: and those who have undertaken to account for it, have only done it from the darkness of conjecture."

Edward Wilson was the Brummell of his time. Possessed of a remarkably handsome person, a polished address, and with large pecuniary supplies at his command, he was well received, or, rather, anxiously courted by the best families in the kingdom. Like his antitype, Law, he acquired the *sobriquet* of "BEAU," and was the *arbiter elegantiarum* of every circle in which he moved.

With the gentler sex he was a universal favourite; and in times when outward adornment and frivolous accomplishments were better passports to society than sterling talents or worth, it is not to be wondered at that Beau Wilson was regarded by both sexes as a paragon.

Contemporary with Wilson, and his rival both in

beauty of person, fashionable dress, and expensive outlay, was JOHN LAW. A Mrs. Lawrence was one of the reigning beauties of that day, and Mr. Wilson and Mr. Law were both in the train of her admirers; but whether it was in consequence of their rivalry for her, or for Elizabeth Villiers, the sister of the first Earl of Jersey, afterwards Countess of Orkney,* that the duel with such melancholy results took place, has never been clearly ascertained. At no period was the disreputable custom of talking of conquests over the fair sex so prevalent as then; and it has been asserted that Law's boast of Miss Villiers' preference of him led to Wilson's challenge. The *History of Cramond* thus relates the particulars:—

"In London, Mr. Law's superior beauty of person, ready wit, and engaging manners, assisted by proper commendations, and aided by that propensity to play for which he was always noted (gambling in those days was rather looked on as the necessary qualification of a gentleman than as aught disreputable), procured his admission into some of the first circles, and particularly attracted the attention of the ladies, among whom he had the reputation of being extremely fortunate. This success was, however, attended with very disagreeable consequences, involving him in an unhappy quarrel with Mr. Wilson, a gentleman renowned for a similar pre-eminence in personal endowments, which produced a hostile meeting between the parties. In this encounter

* Elizabeth Villiers, one of the six daughters of Sir Edward Villiers, had a very large share of that surprising beauty which has been said to be the hereditary possession of the Villiers family. There is a good deal of romance in her marriage with Lord Orkney.

Mr. Law came off conqueror, leaving his antagonist dead on the spot where they fought."

The particulars of the duel will be gleaned from the Royal Commissioner's Report of the trial, which took place in 1694, at the Old Bailey.

John Law, of St. Giles' in the Fields, gentleman, was arraigned upon an indictment of murder for killing Edward Wilson, gentleman, commonly called Beau Wilson, a person who, by the common report of fame, kept a coach and six horses, and maintained his family in great splendour and grandeur; being full of money; no one complaining of his being their debtor; yet from whence or by what hand he had the effects which caused him to appear in so great equipage is hard to be determined. The matter of fact was this. There was some difference happened to arise between Mr. Law and the deceased, concerning one Mrs. Lawrence, who was acquainted with Mr. Law, upon which, on the 9th of April instant, they met in Bloomsbury Square, and there fought a duel, in which Mr. Wilson was killed. It was made appear also that they had met several times before, but had not had opportunity to fight; besides that, there were several letters sent by Mr. Law, or given to Mr. Wilson by him, which letters were full of invectives and cautions to Mr. Wilson to beware, for there was a design of evil against him; and there were two letters sent by Mr. Wilson, one to Mr. Law, and the other to Mrs. Lawrence. Mr. Wilson's man, one Mr. Smith, said that Mr. Law came to his master's house a little before the fact was done, and drank a pint of sack in the parlour; after which he heard his master say he was much surprised with something that Mr. Law had told him. One Cap-

tain Wightman, a person of good conformation, gave account of the whole matter, and said that he was a familiar friend of Mr. Wilson, and was with him and Mr. Law at the Fountain Tavern, in the Strand; and after they had stayed a little while there, Mr. Law went away. After which Mr. Wilson and Captain Wightman took coach and were driven towards Bloomsbury; whereupon Mr. Wilson stepped out of the coach into the square, where Mr. Law met him; and before they came near together Mr. Wilson drew his sword; and they both passed together, making but one pass, by which Mr. Wilson received a mortal wound in the lower part of his stomach, of the depth of two inches, of which he instantly died.

This was the sum of the evidence for the King. The letters were read in Court, which were full of aggravations on both sides, without any names subscribed to them. There were also witnesses that saw the duel fought, who all agreed in their depositions that they drew their swords and passed at each other, and presently Mr. Wilson was killed.

Mr. Law, in his defence, declared that Mr. Wilson and he had been together several times before the duel was fought; and never any quarrel was betwixt them till they met at the Fountain Tavern, which was occasioned about the letters, and that his meeting Mr. Wilson in Bloomsbury was merely an accidental thing; Mr. Wilson drawing his sword upon him first, upon which he was forced to stand upon his own defence. That the misfortune did arise from a sudden heat of passion, and not from any prepense malice. The Court acquainted the jury that, if they found that Mr. Law and Mr. Wilson

did make an agreement to fight, though Mr. Wilson drew first, and that Mr. Law killed him, he was (by the construction of the law) guilty of murder; for, if two men suddenly quarrel, and one kill the other, this would be but manslaughter; but this case seemed to be otherwise: for this was a continual quarrel, carried on betwixt them some time before; therefore must be accounted a malicious quarrel, and a design of murder in the person who killed the other: likewise that it was so in all cases.

The trial was a very long one. The prisoner produced many persons of high station and good repute to speak in his favour; and their testimony went to prove that his life was generally correct, that he was not given to quarrelling, nor was he a person of ill-behaviour. The jury, after long deliberation, found the prisoner *Guilty of Murder*, and he received sentence accordingly. A pardon was, however, obtained from the Crown; and Law was on the point of regaining his liberty, when the relatives of Mr. Wilson lodged an appeal of murder, and he was detained in the King's Bench. An appeal of murder was a very serious thing, and requires some explanation. It was this: if a man on an indictment by the Crown for murder was acquitted, or found guilty and pardoned by the King, he was still liable to an appeal from the widow or heir male of the deceased. This appeal was in the nature of a private action between the parties, by which the death of the deceased was to be compensated for by the death of the accused; and, if the case went against the defendant, die he must, if the plaintiff insisted on it; since the Crown, as in all other private actions, could not remit the judgment. It was,

in fact, a suit of life for life; and the Shylock who gained it had not a mere pound of flesh, but the fuller satisfaction of hanging on a gallows the subject of his prosecution. This barbarous proceeding of appeal for murder happened to be revived upon an acquittal for murder even so lately as 1817, when the defendant repelled the appeal by challenging the plaintiff to trial by combat, which mortal mode of decision it appeared he could adopt in place of trial by jury. The plaintiff declined the fight; but this rendered the appeal so utterly ridiculous that the whole process was abolished by Act of Parliament.

Law continued in durance for eight months awaiting the trial, when he found means to corrupt the keeper of the prison and to effect his escape.

* The following is from an advertisement from the *London Gazette* of January 3—7, 1694–5:—"Captain J. Lawe, aged 26, a Scotchman, lately a prisoner in the King's Bench for murther, hath made his escape from the said prison. Whoever secures him, so as to be delivered to the said prison, shall have £50 paid immediately by the marshal of the said King's Bench." This advertisement proved ineffectual. Mr. Law got out of the country, and took up his abode in Paris, there and throughout France to cause more singular sensation than ever did foreigner before or since.

John Law's marvellous proceedings in Paris are too much matter of history to need detail here. Law's connection with the Regent, Duke of Orleans was the greatest event of that able but dissipated Prince's administration; and among the great commercial transactions of the world, Law and his system will be re-

membered for ever. Many and many are the accounts given, besides those in the various histories of France, of Law's system and the Mississippi scheme that grew upon it; and in referring to those accounts, I would mention that of Dr. Mackay, in his "Popular Delusions," as about the best of all. Yet I cannot pass this mighty period of John Law's life without insisting that his plans were of a far wiser nature than the almost co-temporary Darien scheme (though that chiefly owes its failure to the faithlessness of William III.): nor should they be confounded with the South Sea Company, the Tulipomania, the sham railway projects, and the other bubbles by which visionaries and rogues have brought the avaricious and the imprudent to ruin. Law was undoubtedly an able calculator and financier. He found the exchequer of France on the verge of bankruptcy, and the government about to sink under the pressure. His paper issue and his establishment of the Royal Bank saved the state and restored confidence and re-animated commerce. No doubt "the Company of the West," known better as the Mississippi scheme, and the numerous other companies that followed, brought much ruin in their track; but this was really more owing to the madness of the French people themselves than to Law, who rather yielded to the torrent than courted the storm. This, however, as I say, is matter of public history, and has been and is the subject of never-ending discussion. I return to Law's personal career. He shared, of course, immensely in the questionable wealth that accrued to France: he bought the Hôtel de Soissons and sixteen large estates, and he outvied royalty in his houses and in his gardens; for, like most

Scotchmen, Law was an admirable horticulturist. He thus, and it is a strong proof of his own honesty and good faith, invested all his treasures in landed property in France: he put not a shilling in the funds of other countries; and, when he might have purchased regal domains in Scotland, he did no more than preserve his few paternal acres of Lauriston there. Law was in France Comptroller-General and a Minister with power unlimited. He obtained letters of naturalisation, and was raised to nobility by various titles. He was for a time the idol of the French, and he could have done just as he liked. Yet, in the midst of this prosperity and influence almost superhuman, he never did an unkind or an unworthy action; and not unfrequently his justice and his liberality were remarkable.

On one occasion he instantly, when asked, gave five hundred thousand francs towards building the church of St. Roch, so familiar, now-a-days, to all visitors to Paris; and he distributed another sum of five hundred thousand francs among the followers of King James, the poor Scotch, Irish, and English exiles at St. Germains. Numerous gifts like these might be related. Of his justice the following is a sample:—Count Horn, brother of Prince de Horn, and a relative of the Emperor of Germany, waylaid, robbed, and murdered in Paris a man loaded with the proceeds of some successful sale of Mississippi shares. The count was seized, tried, and condemned, but though dukes, princes, and even sovereigns interceded in his behalf, Law prevented the wavering Regent from yielding, and contrived that stern retribution should be done. Horn was executed in the Place de Grève. Law's coolness amidst all his

grandeur, was another remarkable feature. The anecdotes that are told of this would fill a volume. One here must suffice. At a levée of Law's, when princes, noblemen, and prelates were waiting in Law's antichamber, a plain-looking gentleman craved admittance, on the score of being a Scotch kinsman. "Let him instantly come in," said Law, "for that claim is always a passport with me." The so honoured individual entered; it was the Earl of Islay, afterwards Duke of Argyle. "I am sorry," said the Earl, as Law instantly jumped up and grasped his hand, "I am sorry to disturb you while engaged in such momentous occupation." "By no means momentous," replied Law, "I am only writing to my gardener at Lauriston about planting some cabbages;" and while he was doing this, the best blood of France was waiting at the door!

Law's immense wealth enabled him to gratify Mr. Wilson's relatives by the payment of one hundred thousand pounds. It would appear from the fact of this hush-money not having been paid till 1721, that the determination of the Wilson family to bring the offender to justice had continued for more than a quarter of a century, and offered a bar to his return to England. The fame of his financial oddities, however, was now at its height, and led to an invitation from the English Ministry to return to his native country, and give it the benefit of his talents. The one hundred thousand pounds reconciled the Wilsons; and Law embarked in the Baltic Squadron, commanded by Sir John Norris. He was accommodated on board the admiral's own ship, and treated with as much distinction as a crowned head.

He landed at the Nore, October 20, 1721, proceeded to London in a kind of triumph, and was speedily presented to King George I., by Sir John Norris. The monarch received him with marked distinction, and loaded him with compliments. He took a mansion in Conduit Street, and furnished it with a splendour rarely seen at that time in houses of the highest society.

On the 28th of November, 1721 (being the last day of Term), Mr. Law pleaded at the bar of the King's Bench on his knees, his Majesty's most gracious pardon for the *murder* of Edward Wilson, Esq., in 1694. He was attended at the bar by his relatives, the Duke of Argyle and the Earl of Islay, and several friends; and each of the judges was presented with a pair of white gloves.

After some years' residence in England, where a high degree of homage was paid to him by the upper classes, Mr. Law received intelligence of the confiscation of his whole property in France. The Mississippi scheme had ended in the ruin of myriads there; and these, instead of blaming their own reckless speculation, laid the whole evil at the door of him whose real utility they had perverted and led astray. Conscious of the rectitude of his conduct in the management of the French finances, and feeling sure that the balance, on examination, would be found greatly in his favour, Law flattered himself that he would receive large compensation, especially as the Regent, Duke of Orleans, professed a more than ordinary regard for him, and had continued punctually to remit his official stipend of 20,000 francs a-year. But the death of this kind, and not unworthy, however improvident, prince, in 1723, was a fatal blow to the

hopes of Law. Mr. Law memorialized the Prime Minister of France, the Duke de Bourbon, in 1724, but without success. There then remained to him, of all his personal wealth, but a single diamond worth £5,000. This, and his Scotch property, his high family connections, and his own professional ability as a commercial man, sustained him as a gentleman of fair position through the rest of his existence.

He bade a final adieu to Great Britain in 1725, and took up his residence at Venice, where he closed his chequered life on the 21st of March, 1729, in his fifty-eighth year, and was buried in the church of San Geminiano, whence, as that church was pulled down, his body was removed by his grandnephew, the Marquis and Marshal Law, when Governor of Venice, to the church of San Mose, which still contains the remains of the great financier, and a monument to his memory.

John Law married Catherine, third daughter of Nicholas, titular Earl of Banbury, and by her (who died his widow in 1747) he had a son, Cornet John Law, of the Regiment of Nassau Friesland, who died unmarried at Maestricht in 1734, aged thirty, and a daughter, Mary Catherine, married to William, Viscount Wallingford, M.P. for Banbury, Major of the first troop of Horse Guards, son of Charles, fourth titular Earl of Banbury. Lord Wallingford died, *vitâ patris*, 1740; his widow died in London in 1790, aged about eighty; they had no issue. Thus ended John Law's own line, but his name and family were to continue in France with increased rank and credit. His brother William's descendant was to add a coronet and the renown of a warrior and statesman to the pedigree of the Laws of Lauriston.

WILLIAW LAW, of Lauriston, the younger brother of the great financier, was Director-General of the India Company in France, and dying in 1752, left, with daughters, two sons, both distinguished men; the younger was General James Francis Law, Count de Tancarville, and Chevalier de St. Louis, who commanded the French king's troops at Pondicherry, and died in 1767, leaving issue; and from him descend the Laws of Clapernon. The Director-General William Law's elder son was JOHN LAW, Baron of Lauriston (being so admitted in France), Governor of Pondicherry, and Mareschal de Camp, who married Jane, daughter of Don Alexander Carvalho, a Portuguese noble, and with other issue (one son, William Law, a naval officer, was lost in the great navigator La Peyrouse's fatal expedition) was father of James Alexander Bernard Law, a Marshal of France, and one of the celebrated men of modern France. Him I cannot pass over without a short notice.

JAMES ALEXANDER BERNARD LAW was born in Pondicherry the 1st of February, 1768. He entered the Royal Corps of French Artillery in 1784, and was appointed Colonel of Horse Artillery in 1794; it is in this quality that he made the first campaigns of the Revolution. Bonaparte, who had particular affection for the artillery, appointed, when first Consul in 1800, Lauriston his aide-de-camp, and charged him successfully with many important missions, amongst which I must cite particularly his co-operation at the defence of Copenhagen against the English, and the Diplomatic Mission which he filled in England, where he was charged, in 1801, to bring the ratification of the preliminaries of the peace of Amiens. This peace was so popular in England,

that he was welcomed with much enthusiasm, and the people of London took the horses out of Law's carriage, and conducted him in triumph to Downing Street.

Law did good service in many a hard-fought battle, when by Napoleon's side, or commanding for him. He was appointed Imperial Commissary to take possession of Venice, and Dalmatia, and the Mouths of the Cattaro, and, on this occasion, displayed signal valour and conduct in successfully holding those places, with a small force, against fifteen hundred Russians and three thousand Montenegrins, or Morlachs. He was Governor-General of Venice in 1807.

After the battle of Essling, Law effected the junction of the Great Army with the Army of Italy, on the other side of Zeimmeringberg. He did wonders at Wagram, where, commanding the battery of the famous hundred pieces of cannon, he contributed to the success of the day. It was General Law who accompanied to France the Archduchess Maria Louisa, on her marriage with Napoleon. After the disasterous campaign of Russia, in which he took a brilliant share, Law went to Magdeburg as General-in-Chief of the corps of observation on the Elbe, at the head of which he helped gloriously in the campaign of 1813. He was at Lautzen and Bautzen, and defeated, in desperate fight, eighty thousand Russians at Goldberg. He fought valiantly at Dresden and Leipsic; and, on the day Leipsic was taken, he was retiring by the bridge of Lindenau, over the Elster, and finding it destroyed, he rushed with his horse into the river, but on reaching the other side was made prisoner. He was detained at Berlin until the restoration of the Bourbons, in 1814; when began for General Law, after

his career of arms under Napoleon, his career of honours under King Louis. Law, who was really a soldier of the old régime, though a good servant to the Emperor, and ever true to France, was not reluctant to serve the King. Law was already a Baron and a Count of the Empire; Louis XVIII. created him Marquis of Lauriston and a Peer of France; Chevalier of St. Louis; and Great Cordon of the Legion of Honour. He was a Knight of the Iron Crown, and of various other foreign orders. Law, during the Hundred Days, retired to his country seat, and remained stanch to the House of Bourbon. He commanded a Corps de Reserve in the invasion of Spain, in 1823, and was then made a Marshal of France.

The Marquis of Lauriston died at Paris, universally respected, the 10th June, 1828. He held, at the time, among other dignified offices, that of Master of the Royal Hunt; and it is a singular fact, that the Hotel connected with that service in the Place Vendôme, in which he died, was the ancient residence of his great uncle, the Financier. The Marquis's wife was Mademoiselle Claudine Antoinette Julie Le Duc, the daughter of an ancient Marshal de Camp, and sister of Madame de la Bauere. Mademoiselle Le Duc had also a life of some vicissitude, for she was arrested with all her family during the Reign of Terror, and detained in the prisons of Chauny and of Scissons: her life was saved by the merest chance. She was afterwards Maid of Honour to the Empress Josephine, then to the Empress Maria Louisa, and eventually was a Lady of Honour to the Duchess of Berri.

The Marquis of Lauriston left (with a daughter,

Louise Coralie, married to the Count Hocquart de Turtot) two sons, of whom the younger is Count Napoleon Law, born in 1805, an officer of the Hussars of the Guard, before 1830; and the elder was AUGUSTUS JOHN ALEXANDER LAW, second and late Marquis of Lauriston, who was born in 1790, and was an officer of Ordnance of Bonaparte, and afterwards Colonel of the Garde du Corps. He made his first campaign in 1809, when a mere youth, and distinguished himself at the battle of Amstetten, where he attacked in single fight, the Commandant of Hulans, flung him down, and made him prisoner. He obtained the Cross of the Legion of Honour on the field of battle, in reward of this act of intrepidity. He was appointed Chevalier of St. Louis, the 1st July, 1814, and Colonel of the 5th Regiment of Horse Chasseurs, the month of October, 1815, and was made an hereditary Peer of France in 1829. He married in 1820 Mademoiselle Jeanne Louise Délie Carette, and had three sons, viz., ALEXANDER LOUIS JOSEPH, third and present MARQUIS DE LAURISTON, ancient officer of Artillery, born in 1821; Charles Louis Alexander, Viscount de Lauriston, ancient Captain of Cavalry, born in 1824; and Arthur Louis Fermin, Baron de Lauriston, born in 1829. The Marquis of Lauriston died at Paris, the 27th June 1860, much and deservedly lamented. His eldest son, the present Marquis, is well and popularly known in the fashionable world of Paris.

I should not conclude without observing that Jean Law, a sister of the famous financier, and second daughter of William Law, of Lauriston and his wife, Jean Campbell, of the house of Argyle, was married, in Scotland, to Dr. Hay of Lethim, a scion of the great

families of the Nisbets of Dirleton, and the Hays, Marquesses of Tweeddale. Dr. Hay's only child and heiress, Margaret, was married to the eminent physician Dr. William Carruthers of Edinburgh, whose family are the Carruthers of Dumfriesshire and Dorsetshire, and whose grandson, Dr. G. E. Carruthers (now represented by Emma-Maria, his youngest daughter and co-heir), obtained a share in the proceeds of the sale (for want of heirs male not aliens) of Lauriston Castle. There thus still survives a British connection with these Laws of Lauriston, whose fame and fortunes took such historic root abroad, and grew into that goodly tree, which still flourishes in France, verdant and unfading, unhurt by revolution, adversity, or change.

I end with a word or two about Lauriston Castle itself, the old seat of the Laws, which is still a place of distinction, since it not long ago became the Edinburgh suburban residence of her late Royal Highness, the Duchess of Kent. Lauriston Castle is beautifully situate, about six or seven miles from Edinburgh, on an eminence not far from the sea, a little north of the village of Davidson's Mains. It was built about the close of the sixteenth century by Sir Archibald Napier, brother of John Napier of Merchiston, the far-famed inventor of Logarithms. It was much improved and beautified by the Laws, from whom it passed away in 1828, when Francis John William Law, the last heir male of the entail, not being an alien, died, and when the castle and estate were sold, ard the proceeds distributed among the descendants and representatives in the female line of William Law, the great Comptroller's father, the first purchaser. It has since had various

owners, among them Andrew Rutherford, Esq., M.P., and the property has, of late years, undergone still further amelioration and enlargement. Here, in this castle, was born, 24th August, 1859, the Lady Sybil-Amelia-Adela Montgomerie, daughter of that enlightened and excellent nobleman, Archibald William, K.T., thirteenth and late Earl of Eglinton, by his second wife, the Lady Adela Capel (who died 31st December, 1860), daughter of Arthur-Algernon, sixth and present Earl of Essex. The castle, as above stated, was further honoured as the habitation of the Royal Duchess, whose daughter is Queen of a' Scotland, and it therefore allies itself with Holyrood, and affords another and a graceful incident in the recollections of the Laws of Lauriston.

The De la Poles.

"Fortune and merit had from an humble station elevated them to the first place among mankind. They had been all things, and all was of little value."—GIBBON.

WHEN the first Napoleon, in bitter mortification at being thwarted by the English in his dreams of universal empire, called us contemptuously "a nation of shopkeepers," he used the expression as a term of reproach, to indicate that trade was a pursuit less honourable than his own profession of arms. But the great soldier forgot the lessons taught by history—he forgot that while war was a primitive and barbarous pursuit, practised by the nude and untutored savage, in common with the belted knight, trade, in its beneficent and expansive aspect, required in its possessor no ordinary intellectual culture—was stamped with the impress of civilization—was the herald of peace, and the bright chain which bound in harmony the family of nations. To whom was Europe first indebted for the acquisition of knowledge? Five hundred years before the Christian era, the Phœnician merchants carried with them, from the cradle of literature, Egypt, the sciences and arts, especially astronomy, navigation, and the use of letters,

which they diffused as they passed from Sidon, spreading themselves along the shores of the Mediterranean to Spain and the Britannic Isles.

And again, in the glorious epoch of Genova la Superba, and in the palmiest days of the chivalry of England, the days of Sir John Chandos and Sir Walter Manny, trade was not despised, as Napoleon affected to despise it. The Merchant Princes of England, whose navies rode upon the waters that touched on every shore, occupied prominent places in our nation's history, as patriots, statesmen, and warriors, and won, by their merits, the most brilliant coronets in the peerage. Aristocratic isolation was not at any time characteristic of the English. There was always a social intercommunication of the most friendly character between the aristocracy and the people. The former were constantly sending down their sons and grandsons to mix with, and be of the people, and the latter were sending up theirs, to be of the aristocracy. The doors of the great temple of the Peerage were left wide open for all to enter. Thus these two great classes, the higher and the lower, were knit together in a union of interest and pride in their country and its institutions, in which lay the true secret of the growth, and power, and glory of England.

The first and the greatest of these princely traders was William De la Pole, the "beloved merchant" of the great Edward III. The rich and prosperous seaport of Ravenser, at the mouth of the Humber, had the honour, towards the close of the thirteenth century, of giving him birth. The son of a merchant, he was educated in the mysteries of trade as a science, and

practised it as a science. In the course of time he was attracted to the superior advantages, in privileges and free customs, of the town of Kingston-upon-Hull, to which he removed.

Here, by his skill and industry, his probity and honourable dealing, he advanced in wealth and trading, until his ships sought commerce on every sea.

His house at Kingston-upon-Hull was of the most splendid description, adorned with massive towers, rivalling the Baronial Halls of England of that period. In this his stately home, he kept up a degree of magnificence rarely equalled by the wealthiest nobleman of the day, and entertained and lived in the most sumptuous manner. The most loyal of subjects, he was devotedly attached to the person of the King, whose chivalrous character he never ceased to admire. When Edward, with his nobles, his knights bannerets, and their esquires, was on his way to the north, to chastise the Scots, who, with Randolph and Douglas at their head, burst over the borders twenty thousand strong, he was entertained by De la Pole with unbounded munificence. On bended knee the prince merchant knelt on the occasion before his sovereign, and rose a "belted knight," in the brilliant cortége which followed Edward. The campaign was abrupt and inglorious to the Scots; for when Edward appeared before them at the River Wear, they left a division to guard the pass and retired to their huts in the mountain, "where," says Froissart, "they made marvellously great fires, and about midnight set up such a blasting and noise with their horns, that it seemed as if all the great devils from hell were assembled together." After two nights spent in this

manner, they disappeared back again over the borders as they came.

These border wars were very expensive to the crown, and Sir William de la Pole sent the King "one thousand pounds in gold" (a marvellous sum in those days), and "provided sixty tuns of white wine for the King's army," to be "conveyed to Berwick-on-Tweed." De la Pole, on the occasion of his knighthood, laid aside his paternal coat of arms, three leopards' heads, and assumed, in the pride of his calling, "azure two bars, wavy, argent," allusive to his maritime employment. The reverse is oft the heraldic custom now: all references to trade are carefully excluded from the escutcheon, and fanciful devices adopted. De la Pole had the proper pride; he felt honour in his trade, and was honoured in it. His attachment to the King was unbounded and unvarying. When Edward was in sore straits in Flanders, on his expedition in 1338, to wrest the French crown from Philip de Valois—his supplies and moneys exhausted, and his credit at the lowest ebb, for he had previously pawned his crown and jewels—De la Pole, then at Antwerp, hastened to his Sovereign with all the money he had, and mortgaged his entire property and estates for his use: so that it is said of him (De la Pole), "he ruined himself for the King's sake." But these sacrifices, like gold disengaged from dross in the crucible—making the pure metal shine out more brilliantly—led the way to the elevation of the house of De la Pole to a pitch of splendour so dazzling as to savour more of romance than reality.

Let us pass on to the field of Marconne, in France. Edward is there, surrounded by his knights and nobles.

His archers, cross-bowmen, and men-at-arms, cover the plain, which is studded with tents. The banners of the King and his knights are fluttering over the vast array, and the glorious sun of France pours down its rays in a flood of sunshine, on burnished cuirass and helmet. In front of the royal tent, the knights are clustered in a circle, the King in the midst; and before him is the merchant prince of Kingston-upon-Hull, who is proclaimed, midst the clangour of trumpets, "Sir William de la Pole, Knight Banneret." The principal herald advances to him, and delivers his letters patent from the King, dated the "field of Marconne," reciting his deeds, that "the world might understand his worth, and what essential service he had rendered his sovereign," who gave him, to support his dignity, "a grant of rents in Hull, value 500 marks a year." We next see Sir William De la Pole in courtly robes, and in the highest favour at the Court at Westminster. The King, on his return from France, had sent for him, made him first gentleman of his bed-chamber, then Lord of the Seignory of Holderness, and again advanced him, from time to time, to other places of honour and profit—in the end, constituting him Chief Baron of the Exchequer. In this exalted position, he was not unmindful of his own town of Kingston-upon-Hull. He was its constant benefactor, and obtained for it "many privileges, freedoms, and immunities."

The ivy-clad ruins of the noble Abbey of the Carthusians, which may still be seen there, attest and perpetuate his piety. As he grew old he "determined to found and endow a most stately monastery to the praise and glory of God, and the benefit of the poor." But

our pious prince merchant did not live to see his "stately monastery" finished. It was reserved for the filial duty of his eldest son and successor to complete it, at the end of twenty-one years after his father's decease.

The brief period of a century and a half spans the rise, the glory, and the fall of the DE LA POLES.

SIR MICHAEL DE LA POLE, the eldest son and successor of the prince merchant, was a merchant, too, and he was besides a soldier, a diplomatist, a sailor, and a lawyer! He served in war thirty years as a knight banneret, was thrice a captive in the hands of the enemy, twice a prisoner of war, and once an envoy to a foreign state—had been Governor of Calais, Admiral of the Fleet, often Ambassador from the King, a privy councillor, a Baron, an Earl, a Knight of the Garter, and Lord Chancellor of England. Shortly after his father's death he obtained almost royal authority for his house in his native Kingston-upon-Hull. He got a charter from the King, which empowered him and his heirs for ever to "send justices of gaol delivery as often as need should require to Kingston-upon-Hull." Despite of Walsingham's sarcasm, "that as a merchant himself, and the son of a merchant, he was better versed in merchandise than skilled in martial matters;" he was an eminent soldier, serving with distinction immediately under the Black Prince, in the French wars at the close of Edward's reign. In whatever position he was placed he sustained it with regal magnificence.

In the first of Richard II., after Sir Michael had finished the "stately monastery," we find him at sea with old "John of Gaunt," styled King of Castile, and in

the same year he was acting as Lord High Admiral of the north parts of England. On taking the command of the fleet, he dazzled the public view with the grandeur of his outfit. His own personal retinue was one hundred and forty men-at-arms, one hundred and forty archers, one banneret, eight knights, and a hundred and thirty esquires. He was a Baron at this time, for Edward the Third, in the thirty-ninth year of his reign, had summoned him to Parliament by the title of "Baron de la Pole;" yet still a merchant, his barques floating on all waters, and laden with the richest bales.

Lord de la Pole, having thus by his public services won personal honour and position, now acquired great territorial influence by his marriage with Catherine, the richly-endowed daughter and heiress of Sir John Wingfield, lord of Wingfield, in Suffolk, a renowned knight and soldier of the martial era in which he lived. As Lord Chancellor of England, De la Pole inaugurated his legal career after his own fashion, by serving as a banneret forty days in King Richard the Second's Scottish wars, where he gained such credit that the King rewarded his "fighting Chancellor" with a grant of "the castle, town, manor, and honour of Eye, part of the possessions of William de Ufford, late Earl of Suffolk, deceased." He had scarcely seated himself on the woolsack, at his return, when his military knowledge was again called into requisition. The dread of French invasion is not an idiosyncracy of modern times: it was just as rife under the Plantagenets. On the occasion of one of these periodical panics, De la Pole collected a great array of "Volunteers"—men-at-arms, cross-bowmen, and archers—for the protection of the capital.

But prevention in this case was worse than cure. For once the sagacity of De la Pole was at fault. These stout burghers and yeomanry, "having no pay, quartered themselves on the inhabitants for twenty miles round London, and living such a pleasant life, did even as much damage as the invaders would have done."

Vast were the estates of De la Pole in York and Suffolk; and to sustain his honours with becoming dignity, as of the olden time, in baronial hall and battlemented castle, the King granted him royal licence to "castellate his manor houses at Wyngfield and Huntingfield, in the county of Suffolk," and to "impark all his woods and lands." But this was not the limit of the monarch's favour. At the opening of the parliament of 1385, two nobles were raised in dignity, Robert De Vere, Earl of Oxford, made Marquess of Dublin, and Michael Lord de la Pole, Earl of Suffolk. Could subject desire to be more honoured? The son of the plain Hull merchant is considered of equal position, and of equal worth with De Vere, "who derived his title, through an uninterrupted male descent, from a time when the families of Howard and Seymour were still obscure, when the Nevills and Percies enjoyed only a provincial celebrity, and when even the great name of Plantagenet had not yet been heard in England." De la Pole, merchant in Hull, now raises his head, coronetted, among the proudest Earls of England, sits robed, in state, in Parliament, and is called "cousin" and "councillor" by the King. The vast estates of the Earl, the number of his retainers, the extent of his domains, his princely parks and mansions, constituted him, with the great seals in his hands, and

the unreserved confidence of the King, one of the most powerful of the great noblemen of his day. He had five noble houses at Kingston-upon-Hull alone—one, "Suffolk Palace," which stood at the "Market Gate," opposite St. Mary's Church, two others within the town, and the remaining two at a short distance from it—all "adorned with stately towers."

And yet that very hour—in the height of almost unprecedented prosperity—the death-knell of his power was sounding. Jealousy of his exaltation, his own imperious will, and his bitter tongue brought it upon him. He quarrelled with a churchman, his rival, who plotted and worked his ruin. The drama opens in the same parliament in which he took his seat for the first time as Earl of Suffolk. Thomas Arundel, Bishop of Ely, an earnest petitioner to the King for the restoration of the temporalities of the Bishoprick of Norwich, moved that question in the House, and was sharply rebuked by the Lord Chancellor. "What is this, my Lord," he said, "that you desire? Is it a small matter to part with those temporalities which yield the King more than a thousand pounds per annum? The King hath no more need of such advisers to his loss." "What is that you say, Michael?" said the Bishop, in reply. "I desire nothing of the King which is his own, but that which belongs to another, and which he unjustly detains, by thy wicked counsel or such as thou art, which will never be for his advantage. If thou beest so much concerned for the King's profit, why hast thou covetously taken from him a thousand marks per annum since thou wast made an Earl?" The scene is changed, and the curtain rises again on the Parliament in Westminster of 1386. The

Lord Chancellor asks funds to defray the expenses of an invasion of France in support of the King's right to the French throne, but is met with a petition for the removal of ministers, especially of the Chancellor, whom it is intended to impeach. The ministers, including the Chancellor, are dismissed, and the great seals handed over to the Bishop of Ely!

Then follow the formal impeachment and the trial of the Earl of Suffolk in the House of Peers for defrauding the Crown—his defence, and acquittal on four out of seven charges, and the sentence of imprisonment, during the King's pleasure, on the remainder. The judges declare this sentence "erroneous in all its parts," and are imprisoned for it. But the Parliament is dissolved, and Suffolk released and recalled to Court. The King loads him with fresh favours, gives him the Garter, "clothes him in royal robes," and has him seated beside him at table in public upon Christmas festivals, with no small grief and trouble of the nobility. Another shifting of the scene, and the great Earl of Suffolk, accused of treason and attainted, his property and estates confiscated, is a fugitive fleeing for his life from England, in company with De Vere. Disguised as a Flemish poulterer, with his head and beard shaved, he reaches Calais. His brother, Edmund de la Pole, is captain of the castle there, a post which he owed to the Earl's influence. The noble outlaw, in his misfortunes, a price on his head, and his enemies in full pursuit, approached the garrison, and besought shelter and concealment, but was refused. "Brother," said the captain of the castle, "you must know that I dare not be false to the King of England for the sake of any kindred

whatsoever, nor admit you in, without the privity of William de Beauchamp, governor of this town."

And Suffolk stood there in his wretchedness, in a half-famished state, until the governor was applied to. But he also had a strict sense of duty, and ordered the Earl back to England, a prisoner. De la Pole, however, eluded his captors, reached French territory in safety, and was kindly received at Paris by the French King. But he never saw England more. His misfortunes crushed his proud and sensitive spirit; he fell into ill health. He who had founded an hospital at Kingston-upon-Hull, with a chapel adjoining for the use of the poor, was now indebted to foreign alms for medical aid and food, and to foreign charity for Christian burial:

"By strangers honoured and by strangers mourned,"

he died at the close of the first year of his exile.

But exile, confiscation, and death failed as yet to extinguish the house of De la Pole. It possessed an elasticity which, yielding to the pressure of misfortune, sprung up again, despite the machinations of enemies. The late Earl's son and heir, Sir Michael de la Pole, had the address to get the sentence against his father annulled by Richard, and himself restored to the castles and manors and Earldom of Suffolk by Henry IV. The second earl sustained the glory of his race. When King Henry V. invaded France, Michael, second Earl of Suffolk, and his eldest son, Michael de la Pole, joined the expedition. During the five weeks' investment of the strong fortress of Harfleur by the King, father and son led storming party after party, and repelled the fiercest of the assaults of the French knights. As

the standard of England floated over this proud citadel the elder De la Pole sealed the victory with is life.

The third Earl bore his title but for a short month: he obtained it on one battle-field, and surrendered it on another. From Harfleur he followed the banner of the young King Henry across the Somme, passed through the deep and rapid stream of the Ternois, and halted at Agincourt, to find a soldier's death.

The King moved on from that memorable field of battle to Calais, bringing with him the dead body of the young Earl of Suffolk, and thence sailed for England. At Dover the crowd plunged into the waves, and carried the conqueror in their arms from his ship to the beach. The body of Michael de la Pole shared in the honours of the triumphal procession to London. In the capital "tapestry lined the walls of the houses; pageants were acted in the streets; sweet wines ran in the conduits; bands of children, tastefully arrayed, sang as it passed along, and the whole population seemed intoxicated with joy." On the day following, the most magnificent funeral obsequies were bestowed by the King's order on the gallant young Earl of Suffolk in St. Paul's, where his body was laid out. Archbishops and Bishops performed the service of the dead, and when religion had thus done its high and holy office for the repose of the soul of Earl Michael de la Pole, his remains were borne to his brother William's manor of Ewelme, in Oxfordshire, and committed to their last resting-place on earth. Three daughters, his only children, mourned his loss. One became the wife of John de Foix, Earl of Kendal, another wedded Lord

Morley, a gallant companion in arms of her father, and Katherine, the eldest, was a nun.

Let us pass over the next fourteen years, and come to the memorable Siege of Orleans. William, fourth Earl of Suffolk, brother to the late Earl, was in command of the besieging army. He established his men in different posts round the city, lodged in huts, covered from the enemy's fire by intrenchments of earth. The blockade continued during the winter. From a tower crested with forts, he desolated the city, which was surrounded by sixty ports or "bastiles." In the spring he established lines of communication between these posts. The city was sealed up from all external aid. It seemed doomed: no supplies could enter. There was no force to raise the siege; and yet aid came from a quarter and in a manner least to be expected. It is an episode of history so familiar to all, that I will make but brief allusion to it. Joan of Arc appeared before Orleans—a heroine "with a mission from Heaven." She was dressed in male attire, and armed at all points as a knight, mounted on a beautiful grey charger, which she directed with ease and skill. On her banner was painted, amidst a profusion of fleurs-de-lis, the figure of a venerable old man, intended to represent the Almighty, with the globe in his hand. Enthusiasm ran through the ranks of the besieged, and alarm through those of the besiegers. It was in vain that the Earl of Suffolk and his officers exerted themselves to check the inspired hold which Joan had got upon the imaginations of the soldiers. They would meet anything human, but the stoutest heart quailed from encountering a celestial champion. The Earl received a letter from her, couched

in imperious terms, commanding him, under pain of the Divine wrath, to retire from the walls of Orleans; and soon after she herself appeared on the River Loire, with her mysterious banner floating from the prow of a barge, leading the van of a row of boats, which entered the city, laden with provisions. Her presence within the walls fired the drooping spirits of the French. The Earl of Suffolk was now assailed with furious assaults, led on by Joan of Arc in person. His most skilful dispositions and bravest efforts were in vain. Fort after fort fell; and setting fire to the remainder, he retired from Orleans, dispirited and beaten, leaving all his works, the fruit of seven months' toil and labour, behind him, in flames. He entered Jargeau, but the victorious Joan, "The Maid of Orleans," allowed him no respite, no repose. She followed in quick pursuit, and the besieger became in turn the besieged. The assault came, led by the Maid in person, and Jargeau was carried by storm on the tenth day, the Earl of Suffolk remaining a prisoner. To the officer who demanded his sword, he inquired, "Are you a knight?" "No," answered the other. "Then I will make you one," and knighting him on the spot, the Earl surrendered. He afterwards retrieved his reputation at Aumarle, which he carried, with its fortress, on the twenty-fourth assault, and he was present, and assisted at the coronation in Paris of Henry VI. as King of France. His late vanquisher, the heroic Maid of Orleans, to the eternal disgrace of her persecutors, was, we all know, burned at the stake, as a sorceress, in the market-place at Rouen, and died a martyr, whose memory is now more than ever honoured in France.

The Earl of Suffolk became a Marquess in 1444: he was created by "Cincture with the sword," and the "putting of a coronet of gold upon his head," and was also made Lord Steward of the Household. In the latter capacity he stood proxy for Henry VI., in the cathedral of Nanci, in his marriage contract with the beautiful and heroic Margaret of Anjou, who previously, through Suffolk, her "pure, unspotted heart, never yet taint with love, had sent the King." The Earl of Suffolk, after eight days' jousts and tournaments, pageants and rejoicings which followed this prior marriage, escorted the Queen of England in great state through Normandy to Dieppe, and thence to England, where Henry married her at Tichfield, and crowned her at Westminster. The Marquess of Suffolk was now the reigning favourite, and wsa advanced in title and estate. On the death of the Duke of Gloucester, the King's uncle, he became Earl of Pembroke, with a large accession of estates. He had also, by the death of his nieces, acquired the extensive estates of his late brother, Earl Michael, the exile; and in 1448 he was raised to the dignity of Duke.

The House of De la Pole has now arrived at the very pinnacle of prosperity, honour, and power; and yet it trembles, as before, on its throne, and threatens dissolution from too much greatness. Financial difficulties came upon the nation at home, and heavy reverses abroad in the French wars, Calais alone remaining as an appanage of the English crown. A popular clamour is got up against the Duke, as chief minister, for the loss of Normandy. He is called "the Queen's minion," charged with rapacity, with the death of the Duke of Gloucester, and, in short, with all the crimes which are

usually attributed to an unsuccessful minister in a season of calamity, when worked upon by an undercurrent of rivalry and personal ambition. He repelled those charges in his place in parliament with considerable force and eloquence. His father, he said, had died in the service of his country at Harfleur; his elder brother had fallen in the battle of Agincourt; his second and third brothers had perished at Jargeau; and his youngest brother had expired a hostage in France. He himself, he said, had been a Knight of the Garter thirty years, had spent thirty-four years in arms, and during half of that time had never visited his native country. He had been fifteen years sworn of the King's council. He was born in England, his inheritance and the inheritance of his children and of his posterity lay in England, and he indignantly demanded was it possible that he, for any promises of an enemy, would become a traitor? He demanded of his accusers to come forth and state their charges, and his defence would be so "open and plain that the King and the land would be content." But fortune had changed with the Duke of Suffolk. His enemies were vengeful and powerful. He was sent to the Tower on a frivolous charge, and impeached in Parliament. He defended himself there with ability, and protested his innocence. But nothing would satisfy or appease his enemies. They thirsted for his blood; and the King, his friend, to still the tumult and save his life, banished him beyond the seas for five years. Retiring to his estates in Suffolk, he called before him the knights and esquires of the surrounding districts, and swore to them, on the holy sacrament, that he was innocent of the charges imputed to him. Posterity has

done him that justice too. He then sailed from Ipswich: but his enemies, sleepless in their vengeance, were on his track. They had a squadron of men-of-war out cruising in search of him. The "Nicholas of the Tower," one of the largest ships of the navy, bore down, off Dover, upon the vessel in which he sailed. He was ordered on board, and on mounting deck was saluted, ominously, with the words, "Welcome, traitor!" After undergoing a mock trial before the sailors, he was condemned to death. The murderous deed was soon executed: "on the second morning (I am quoting Lingard) a small boat came alongside, and in it a block, a rusty sword, and an executioner. The Duke was lowered into the boat, and the man, telling him he should die like a knight, at the sixth stroke smote off his head; and crowding sail, the squadron disappeared. The remains of the great Duke of Suffolk, the trunk and head, lay on the sands of Dover, watched by the Sheriff of Kent, till the King's order was received, and then the Duke's chaplain arrived and brought his remains to his widow, who had them interred in the church of Wingfield." By another account, they were borne by the chaplain to Hull, and buried in the Charter House there. Shakespeare, in the second part of Henry VI., Act iv., Scene 1, gives a graphic representation of this terrible murder of the Duke of Suffolk: "Great men," concludes the poet—

> "——— oft die, by vile bezonians:
> A Roman sworder, and banditto slave,
> Murder'd sweet Tully; Brutus' bastard hand
> Stabb'd Julius Cæsar; savage islanders,
> Pompey the Great; and Suffolk dies by pirates."

It has generally been assumed, and even by Dugdale, that the Duke of Suffolk was attainted; but such was not the case. The illustrious house of De la Pole, though obscured and apparently ruined, rose again to splendour, becoming allied to royalty itself.

In the shifting scenes of the bloody drama played by York and Lancaster, the De la Poles, once more stood erect amidst the proudest of England's nobility. When Richard Duke of Gloucester placed himself on the marble seat in the great Hall of Westminster as King Richard III., he had the Lord Howard, afterwards the Duke of Norfolk, on his right, and John De la Pole, Duke of Suffolk, son and successor to the late decapitated Duke, on his left. The brilliant alliances of the De la Poles were not the least of those gifts of fortune by which they ascended to so lofty an eminence. They were united to the Peverells, the Norwiches, the Braybrokes, the Wingfields, the Chaucers, the Scropes, the Stourtons, the Cobhams, the De L'Isles, the Morleys, and the Staffords, bright names in the Peerage and Commons' rolls of England. And now they ally themselves with the reigning family of England—John Duke of Suffolk espousing the Lady Elizabeth Plantagenet, sister of Richard III. and of the late King Edward IV. The eldest son of this royal marriage, John De la Pole, was created Earl of Lincoln, and ruled as Lord Lieutenant of Ireland. The Earl's sister Anne was affianced to the eldest son of the King of Scotland, and King Richard III. declared his nephew De la Pole, the young Earl of Lincoln, to be "heir to the crown," in the event of the decease of his own son, Prince Edward. What a dazzling height, and, in prospect, what a future of glory

has the family of the merchant of Hull now attained! Two crowns glittering before them, two great kingdoms for their future inheritance,—the founder of a royal line—the mother of a race of kings! Such was the prospect of the two grandchildren of William, first Duke of Suffolk, great grandson of the "beloved merchant" of King Edward. Had the current of events flowed on in their even course, the Royal House of De la Pole would have occupied the throne; and England, without the Tudors, would not chronicle in her history those grave events, whether for good or ill, of the sixteenth century which resulted from their brief possession of the crown. But the fate of a single battle—Bosworth Field—dispelled for ever the De la Poles' golden dream of royalty. The fall of the House of York was the culminating point in the wayward destiny of their fate.

Little remains to be told in the history of the De la Poles. The Earl of Lincoln made a vain attempt to retrieve the disaster of Bosworth. He entered England at the head of a small army, composed partly of troops furnished by his aunt, Margaret, Duchess of Burgundy, and partly of Irish auxiliaries, led by two of the Geraldines. His defeat and death at Stoke, 1487, in the lifetime of his father, who survived till 1491, extinguished his hopes, his kingly aspirations, and his title of Earl. His next brother, Edmund De la Pole, the second Duke of Suffolk, also a Plantagenet by the mother's side, although one of the last persons of rank remaining of the Yorkists, entered into Henry VII.'s service, in the beginning of that monarch's reign. He was in arms, in the twelfth of Henry VII., with the Lords Essex and

Mountjoy, against Lord Audley and the Cornish men, who suffered so memorable a defeat on Blackheath. But this apparently politic course did not succeed. It failed in its object, to break the fall of the De la Poles. Henry desired to extinguish every trace of the house of York. He affected to look upon the Duke as heir of his attainted brother, the Earl of Lincoln, and not of his father, the Duke of Suffolk.

The Duke, in a scuffle, killed a man who had affronted him. Under other circumstances, the case would have passed without notice. But his Grace was subjected to the ignominy of a public trial [although immediately pardoned] for "killing an ordinary person in wrath;" and he indignantly withdrew without permission to the Court of his aunt, the Duchess of Burgundy, then the asylum for all the attached and suffering adherents of the White Rose. He returned, however, soon after, and, excusing himself to the King, attended the marriage of Arthur, Prince of Wales, with Catherine of Arragon. On that occasion, the splendour of his equipage and his attentions to the royal family were remarkable. But this public homage to the house o Lancaster did not avail him, and he fled a second time, with his brother Richard, to the Court of Burgundy. This friendly door, however, was soon closed against him. The Duchess died, and the Duke of Suffolk, her nephew, was left in great distress, wandering for a time through Germany. At length the Arch-Duke Philip permitted him to reside in his dominions. But he was followed there by the power of Henry, whose threats succeeded, and he was delivered over to his enemy, of the hated house of Lancaster, but upon a guarantee

exacted by Philip that his life should be spared. How unlike was this return to England, a prisoner, to the triumphal procession of the dead body of Earl Michael, of Agincourt, or of the royal bridal party, led by William, the first Duke! He was hurried across the Channel as a common malefactor, driven without attendants in an ordinary conveyance to London, and locked up in a cell in the Tower. Henry kept faith with the Arch-Duke Philip, to the ear and broke it to the hope. He spared the Duke's life in his own time, but, with fiendish vindictiveness, left an order for his execution as a legacy to his son and successor.

Edmund De la Pole, second Duke of Suffolk, languished for years in prison. His estates were gone, they were confiscated and given away. No one was allowed to see him. No familiar face looked through the bars of the prison window, which admitted a dim light into his solitary cell—not even the two priests, his brothers Humphrey and Edward, nor the nun at Sion, Anne, his sister, once the affianced bride of Scotland, nor the other nun, Anne, his only child by Margaret, his wife, daughter of Richard Lord Scrope. That only child could but commune with him in spirit and in prayer from her lone cell in the convent of Minoresses without Aldgate. At length he was released, but it was by the arm of the headsman. Too faithfully the second Tudor complied with his father's dying injunction. Edmund De la Pole, second Duke of Suffolk, bent by age and suffering, mounted the scaffold with tottering footsteps, and in the broad light of day, the sun of heaven shining down upon the unholy drama, was beheaded, the 30th of April, 1513.

A few more convulsive throes, and the light and glory of the De la Poles are extinguished for ever.

Richard, the last Duke's brother, an exile in France, commanded 6,000 French at Therouenne, when besieged by Henry VIII.; and at the battle of Pavia, his heroic conduct excited the praise even of his foes. Great was the carnage on that memorable field, and among the heaps of slain there lay, to the infinite satisfaction of King Henry, Richard De la Pole "the pretender to the English throne." The Duke of Bourbon honoured his remains with splendid obsequies, and attended in person as one of the chief mourners. So important indeed was the gallant soldier's death considered by the English monarch that, as an ancient MS. in the Vincent Collection, College of Arms records, several peerage creations were made "uppon ye joyfull newes of ye Emperours victorie at Pavie in Italy where the K. of France was taken prisoner and Richard de la Pole, the King's dreaded enemy was slaine."

And thus end the De la Poles! Their rise, rapid and brilliant as the meteor, was as evanescent. They shone in all the magnificence and splendour of exalted rank, wealth, and power, and descending with meteoric velocity, their light went out. For a little more than a hundred and fifty years they filled a vast space, as luminaries of magnitude, in the social and political hemisphere of England. And yet they are all but forgotten now. Their lives and actions are compressed within a few pages of their country's history. Their memorials are to be found within the broken arch and tottering cloisters—the ivy-crypt and chancel of the old time-honoured abbeys which they raised—fit em-

blems of themselves, grand even in their very isolation and ruin. Religion in these crumbling temples of the past—holy guardians of their fame—points to their broken monumental tablets, overgrown with moss, and exclaims, with solemn warning, "See here the greatness of the De la Poles!'

The Lairds of Callendar.

"The rowan tree grows ower their w'a,
The deer grass in their tower,
And the howlet, the bat, and the mowdiwart
Are rife in Burd Ellen bower."

OLD BALLAD.

AMONGST the chief historical families of Scotland, few have risen at various periods to greater power and higher honours, or have possessed more extensive estates than the Livingstones, and few have fallen into more complete and disastrous decay. Acquiring in the male line three distinct Earldoms, Linlithgow, Callendar, and Newburgh, and two Viscounties, Kilsyth and Teviot, with numerous Baronies and minor honours, Livingstone, Falkirk, Almond, Kynnaird, Campsie, and Flacraig, they almost rivalled in feudal power the mighty house of Douglas; but nearly the whole of their splendid inheritance has disappeared. It is believed that there is not now a single landed proprietor of the name of Livingstone (in the male line), in the possession of lands in the counties of Linlithgow and Stirling, where they were once so powerful. The titles of the Earldom of Newburgh, indeed, still remain, in the person of an Italian princess, naturalized here, Marie Cecilia Princess Giustiniani, and Marchesa Bandini, to whom they were adjudged in 1858, by the House of Lords; and the heir

of the Earls of Erroll and Kilmarnock still holds his unattainted earldom, and his great office of Lord High Constable of Scotland, in virtue of his descent from Lady Margaret Livingstone, his direct ancestress, the only surviving child of James, Earl of Callendar and Linlithgow (attainted in 1715); but the whole of the wide-spreading lands and baronies have passed into other hands.

The founder of the family in Scotland, Levingus, said to have been of noble Hungarian descent, settled in West Lothian towards the end of the eleventh century, and Livingston (the town or residence of Levingus), in Linlithgowshire, long continued in the possession of the senior line: "Thurstanus filius Levingi" is distinctly documented in 1128. Gradually we find the knights and barons of Livingstone and Callendar becoming prominent among the *Magnates Scotiæ*, filling the offices of Great Chamberlain in Scotland, Lord Justice General, Ambassador to England, Governor and Custodier of the king's person, and Regent of the Kingdom; their banner waving in every battle, and their influence acknowledged in every council. One is knighted under the Royal Standard, and taken prisoner at the battle of Durham, 17th of October, 1346, another falls at Homildon, 14th of September, 1402, and Sir Bartholomew de Levingstone, the last of the elder line, is killed at Flodden, gallantly fighting by the side of his chivalrous sovereign, on the fatal 9th of September, 1513. Long before this, the younger branch, that of Callendar, in which the representation of the main line eventually merged, had risen to great power, by the acquisition of that ancient

Thanedom, partly by royal grant, and partly by a fortunate or judicious marriage. In 1345-46, Sir William Livingstone (grandson of Dominus Erchebaldus de Levingstone, Miles, who had been compelled to swear fealty to Edward the First) obtained the great Thanedom of Kallendar or Calynter, by charter under the great seal, on the forfeiture of Patrick de Calynter; but, in order to strengthen his right to these domains, or, it may be, to conciliate the numerous retainers of the former barons, or, perchance, under the influence of the grace and beauty, and in sympathy for the fallen fortunes of the young lady, Sir William married Christine de Calynter, the only child and heiress of the attainted Thane. By her he had two sons, the younger of whom, William, carried on the line of the family. Of the ancient Scottish Thanedoms, that of Calentyr, possessed by the Calentyrs of Calentyr, from a period prior to 1217, appears to have been the only one situated to the south of the Forth; and it was continued by the marriage of Christine de Calentyr and Sir William Livingstone in the possession of the lineal descendants of the original Thanes for the long period of five hundred years.

During the days of their feudal power, the Livingstones were not more remarkable for the extent of their estates and their almost regal influence, than for the great alliances which they formed. The Laird of Callendar never seems to attempt to subdue (legitimately, at least) the obdurate heart of any less stately damsel than the daughter of a great baron; all the Livingstone wives are of this rank,—Erskines, Crichtons, Flemings, Hays (of Erroll), Grahams (of Montrose and Menteith),

Gordons (of Huntly), Douglases of the illustrious House of Morton, and the like. Even the cadet branches of Kilsyth, Teviot, and Newburgh follow generally this aristocratic rule, Newburgh, especially, carrying the same principle of action into foreign lands, and, in the course of comparatively a few years, intermarrying, in England, with the Howards Earls of Suffolk, the Brudenells Earls of Cardigan, the Lords Clifford of Chudleigh, and the Radcliffes Earls of Derwentwater, and, in the States of the Church, with the Princely House of Giustiniani.

Sir Alexander Livingstone, the fourth of Callendar, was one of the jury on the trial of Murdoc Duke of Albany (1424); and, at the death of James I., was constituted regent of the kingdom, and guardian of the young monarch, James II. The Chancellor, Crichton, had, however, custody of the king in the Castle of Edinburgh, and it was only by a ruse that the deliverance of the sovereign was effected. The Queen Dowager (Jane Beaufort), who was a devoted adherent of Livingstone's, contrived to get access to her son, and conveyed him, concealed in a chest, on board a vessel then lying at Leith, which, with its royal freight, immediately set sail, and arrived at Stirling almost as soon as the Chancellor heard of the escape. At Stirling their Majesties were joyfully received by the Regent, but the good understanding between the Queen and Livingstone was not of long duration, and in 1439 their animosities had reached to such a height that her Majesty was imprisoned by Livingstone's order. The dissensions, too, between the Regent and the Chancellor continued, till the increasing power and audacity of the young Earl

of Douglas, sixth Earl and third Duke of Touraine, the greatest subject in the kingdom, forced them into a temporary reconciliation. Douglas, besides Galloway and Anandale, and other extensive territories in Scotland, possessed the Duchy of Touraine and County of Longueville, in France. In right of his Duchy, he regarded himself as a foreign prince, independent of the laws of his country. He was attended by a constant train of one thousand horse, and his household displayed a regal magnificence, while he even created knights, and convened his great vassals in Parliaments. Soon after their reunion, Livingstone and Crichton, dissembling their intentions, asked the Earl of Douglas to sup at the royal table in the Castle of Edinburgh; the earl was foolhardy enough to accept the invitation, and proceeded to his sovereign's presence. At first he was received with apparent cordiality, but shortly after he had taken his place at the board, the head of a black bull, the certain omen in those days, in Scotland, of immediate death, was placed upon the table. The earl sprang to his feet and attempted to escape, but being speedily seized and overpowered, he was hurried, along with his younger brother David, and Sir Malcolm Fleming, of Cumbernauld, one of his chief retainers, into the courtyard of the castle, where they were stripped of their armour, and all three in succession beheaded on the same block. The death of the young and princely Earl of Douglas excited universal detestation, and his untimely fate was lamented in the ballads of the time:—

> "Edinburgh Castle, Toune, and Toure,
> God grant thou sink for sin,
> And that even for the black dinoure
> Earl Douglas gat therein."

This tragedy was enacted on the 24th November, 1440, and for the moment it annihilated all opposition to the regency; but four years afterwards, William, eighth Earl of Douglas, having married his cousin, the fair Maid of Galloway, restored the fortunes of his house, and succeeded so far in influencing the young King, that Livingstone was attainted of high treason; Douglas boasting that he would hang his old enemy from the battlements of Livingstone's own castle, or, as he expressed it, "worry the tod in his ain den." This, however, was more easily said than done; and after many cruel scenes of mutual bloodshed, and alternate fields of victory and defeat, Livingstone regained the royal favour, and in 1449 was made Lord Justice General, and sent Ambassador to England the same year. Shortly afterwards this great and turbulent lord was peaceably gathered to his fathers. He was succeeded by his eldest son, Sir James Livingstone of Callendar, who had been appointed Captain of Stirling Castle, and tutor of James the Second, during the regency of his father. In 1453, Sir James was sworn a Privy Councillor, and appointed Master of the Royal Household, and Great Chamberlain of Scotland. He was afterwards created a peer of Parliament by the title of Lord Livingstone; the exact date is not known, but it was some time previous to 30th August, 1450, when the extensive estates of the family in Stirlingshire, West Lothian, and Perthshire were united into the one barony of Callendar, by a royal charter in favour of James Lord Livingstone.

About a century after this, the Lord Livingstone of the day was constituted by Act of Parliament, 24th

April, 1545, along with John Lord Erskine, governor and keeper of the infant Queen Mary, whom he accompanied in that capacity into France, in 1548, and died there about 1553. These lords received for the care of their young Queen, £80 a month from the last of November, 1545, to the last of February, 1548, when they sailed with her to France; and thanks were formally given to them in the Parliament held at Haddington, 20th July, 1548, for the manner in which they had executed their trust. The youngest daughter of this Lord Livingstone was one of the four Maries, selected and adopted by the Queen mother, Mary of Guise, from the noblest families of the land to be the playmates and schoolfellows of her royal daughter. In the plaintive words of the old melody—

> "There was Mary Seton, and Mary Beaton,
> And Mary Fleming, and *me*."

Me being Mary Livingstone.

There is still to be seen at Westquarter House, the last remaining mansion of the family, a large, antique, and very beautiful cabinet, the doors of which are enriched with various flowers traced in bead-work, which belonged to the Queen, and was the united work of her four Maries. In her wanderings, adversities, and captivities, Queen Mary ever found these faithful attendants at her side; they accompanied her to France, attended her while she remained there, and returned with her to Scotland. Exchanging the brilliant gaiety of Paris for the fanatic gloom of Edinburgh, the true-hearted maidens never failed in their devotion to Mary Stuart: their romantic attachment to their royal and

ill-fated mistress endeared them to the people; their memories have been united in the melody of many a ballad, and enshrined in the songs of their native land. The name of Mary Livingstone, traduced and calumniated by the harsh and ungallant John Knox, yet lingers in the traditions of the neighbourhood of Callendar: she is still talked of as having married her father's "galopin," or menial-groom, who is said to have treated her cruelly. This is no farther true than that she married John Sempill, of Beltrees, (John Sempill, *the Dancer*, as John Knox styles him,) a younger son of Robert, third Lord Sempill, that he may have held the situation of equerry to Lord Livingstone, then a great officer of state, and that hence he may have been denominated his "galopin," perhaps to heighten the story. But such appointments in the establishments of the greater barons were given to the younger sons of the noblest families; and this at least is certain, that Sempill was at one time an equerry or page in the royal household: of this, the evidence still remains. By a charter, dated 9th March, 1564, ratified by Act of Parliament, 19th April, 1567, Queen Mary, "in consideration of the long continued services of *Mary Livingstone*, her Majesty's familiar servitrice, and *John Sempill*, son of Robert Lord Sempill, her daily and family servitour," granted to them the lands of Auchtermuchty and others, until they should be provided in an estate of £500 a-year. The story that the marriage was unhappy may be as apocryphal as that the husband was a groom.

Amid all the vicissitudes of fortune, William, sixth Lord Livingstone (the brother of the Queen's Mary), was the steady and unflinching adherent of his royal

and hapless mistress; he joined her after her escape from Lochleven, fought gallantly for her at Langside, and, after that fatal day, accompanied her to England to share her captivity. Thither he was shortly afterwards followed, in the same loyal service, by his wife, a daughter of Malcolm, third Lord Fleming. On the 26th of February, 1569, Nicholas Whyte writes to Secretary Cecil, "the greatest person about her (Mary) is the Lord Livingstone, and the Lady his wife which is a fair gentlewoman."

The son of these faithful followers of an unhappy queen was Alexander, seventh Lord Livingstone, who married Lady Eleanor Hay, daughter of Andrew, seventh Earl of Erroll, and to their care the Princess Elizabeth, afterwards Electress Palatine and Queen of Bohemia, and her sister, were committed. The Queen of Bohemia has been usually regarded as the only daughter of James the Sixth; but it appears from a charter of that king, erecting Falkirk into a free burgh or barony in favour of the Lord Livingstone, dated 13th March, 1600, that there was another daughter whose existence has generally escaped the notice of historians. This charter sets forth "the great care, extreme diligence and solicitude of our said trusty cousin and councillor Alexander Lord Livingstone, and Dame Helenor Hay, his spouse, in divers years by past with regard to our two legitimate daughters, by undertaking their education, in their own society. And also, we clearly understanding our foresaid illustrious, trusty cousin and councillor, to be justly due the sum of £10,000, money of this realm of Scotland, for the food, nourishment, sustenance, and education of our said two

daughters, and their body-servants, during the foresaid space: Therefore, in full satisfaction of the said sum, and for the good, faithful, long and honourable services to us and our most illustrious progenitors done and performed by the said Alexander Lord Livingstone and his predecessors in defence of the kingdom against all foreign and intestine foes, &c., we now give, grant, and dispose to the foresaid Alexander Lord Livingstone," &c., &c. It is believed that this charter is the only document extant establishing the existence of another daughter of James the Sixth, besides the Princess Elizabeth. But although this charter bears to be "in full satisfaction" of all previous services, the royal gratitude did not stop here, and, the same year, in further recognition and reward of the good deeds of himself and his predecessors, Alexander, seventh Lord Livingstone, was created Earl of Linlithgow, Lord Livingstone and Callendar, on the 25th December, 1600, at the baptism of Prince Charles; and within little more than thirty years after (on the 19th June, 1633), the third son of the first Earl, the Hon. Sir James Livingstone, who had won great military renown in the wars in Bohemia, Germany, Holland and Sweden, was raised to a separate peerage as Lord Livingstone of Almond, and on the 16th October, 1641, farther advanced to the dignity of Earl of Callendar.

But the sunshine of kingly favour was not limited to the main line of Livingstone; it shed its beams abundantly on the younger branches. In 1627, Sir John Livingstone of Kynnaird, descended from Robert, the second son of Sir John Livingstone, third Laird of Callendar, was created a baronet of Nova Scotia; his son

and successor, Sir James, was one of the gentlemen of the bed-chamber to Charles the First, by whom he was created Viscount of Newburgh, 13th September, 1647; Lord Newburgh, faithful to his king, was excepted from Cromwell's Act of Grace, 1654, and fled out of England, and joined Charles the Second at the Hague. He continued with his Majesty during his exile, and on the Restoration was constituted Captain of the Guards, and created Earl of Newburgh, Viscount Kynnaird, and Baron Livingstone of Flacraig, to him and his heirs whatsoever, by patent dated 31st December, 1660. These titles are now vested, by a decision of the House of Lords, in the Princess Giustiniani, who has been naturalized by Act of Parliament, and is the present Countess of Newburgh. The history of the house of Newburgh is very curious, and would in itself form an interesting chapter in the romance of Peerage succession.

The Kilsyth branch was raised to the peerage as Viscount Kilsyth and Baron Campsie, 17th August, 1661, and the Teviot family (a cadet of Kilsyth) obtained a baronetcy 29th June, 1627, and the Viscounty of Teviot, 4th December, 1696. The Westquarter baronetcy dates from the 30th May, 1625.

Thus far we have seen the Livingstones in their splendour, let us shortly contemplate them in their decline and fall. George, fourth Earl of Linlithgow, died in August, 1695, without issue, when he was succeeded in his titles and estates by his nephew, James, fourth Earl of Callendar, who, engaging in the rebellion of 1715, was attainted as Earl of Linlithgow and Callendar, and his whole lands and dignities forfeited to the Crown. He

had married Lady Margaret Hay, daughter of the twelfth Earl of Erroll, by whom he had one surviving child, Lady Anne Livingstone, married to William, fourth Earl of Kilmarnock, and her eldest son, James, Lord Boyd, succeeded in her right to the Earldom of Erroll. The great Callendar property was sold to the York Buildings Company, a London incorporation which speculated largely in the purchase of forfeited estates; but the "Bairns of Falkirk," as they delighted to style themselves, and the other vassals and tenants of the Livingstones, were a turbulent and unruly race, even under their feudal lords, and little inclined to yield "suit and service," and far less to pay rents, to an association of London tradesmen. To them, the York Buildings Company was as unintelligible as the impersonal "John Company Bahadoor," to the retainers of the Great Mogul. Accordingly, the Company soon discovered that the only mode of deriving anything from the estates was to transfer them to the heiress of the family, and a long lease was therefore granted to the Earl and Countess of Kilmarnock, who were thus re-established at Callendar, and might, like the Panmure family, under somewhat similar circumstances, have eventually recovered permanent possession of their original domains. This lease did not expire till 1773; but long before that, the Earl of Kilmarnock, not taught wisdom by the ruin of his predecessor, joined Charles Edward after the battle of Preston, was captured on the fatal field of Culloden, sent a prisoner to London, and beheaded on Tower Hill, in 1746. On an eminence, or rather hill, above Callendar House, now crowned by a circular plantation, tradition still points out the spot where the last Earl of Kilmarnock,

as he rode away to join the unfortunate Chevalier, lingering behind his armed and mounted followers, turned his horse round to take a farewell look at the grand old Livingstone estate, which he was never again to see. There is scarcely a finer view in Britain than that which this spot commands: far in the blue distance to the North rises the serrated semicircle of the Grampians, forming, with the broad-topped Ochills, and the waving westward sweep of the Campsie Fells, and the hills of Saline to the east, a magnificent mountain amphitheatre, the castled Rock of Stirling glittering in the centre, and the broad expanse of the Firth of Forth, more like a lake or inland sea than an estuary, stretching away towards the German Ocean: the rich and beautiful Carse of Falkirk is in the foreground, studded with villages and church spires, and here and there an ancient feudal tower. The landscape is indeed wondrously attractive, combining everything which wood, and water, and rock, and undulating surface can contribute to diversify and adorn the scene. One can fully comprehend the sad feelings of the gallant but vacillating Kilmarnock, as he lingered for the last time over this lovely prospect, and the noble domain mapped out before him, which he was about to imperil for what he must then have regarded as the cause of his legitimate sovereign.

The affairs of the York Buildings Company having fallen into disorder, the Estates of Callendar were brought to judicial sale, and purchased about 1780 by William Forbes, Esq., a great London merchant, and a descendant of the family of Forbes of Colquhany in Aberdeenshire. Mr. Forbes married twice—first, the

beautiful Miss Macadam of Craigengillian in Ayrshire, but without issue; and secondly, Miss Agnes Chalmers of Aberdeenshire, and dying in 1815, was succeeded by his eldest son, the late William Forbes, Esq., of Callendar, M.P., and Vice-Lieutenant of the County of Stirling, who married in 1832 Lady Louisa Charteris, fifth daughter of the Earl of Wemyss and March, and dying in 1856, was succeeded by his eldest son, the present William Forbes, Esq., of Callendar, who, in addition to the ancient Thanedom of Callendar, and the Baronies of Hayning and Almond, the original domains of the Callendars and Livingstones, is the proprietor of extensive estates in the counties of Stirling, Ayr, and Kircudbright.

Of the remaining two ennobled branches of the House of Livingstone, the conclusion is soon told;—the Viscount of Kilsyth was attainted for high treason in the same year with his chief (1715), and died at Rome, in January, 1733, and the Peerage of Teviot became extinct on the death of Viscount James in 1711.

With James, Earl of Linlithgow and Callendar, terminated the whole descendants in the male line of Alexander, seventh Lord Livingstone, and the representation and chieftainship of the race passed to the family of Westquarter, the descendants of the Honourable Sir George Livingstone, of Ogleface, the fourth son of the sixth Lord Livingstone. This branch, whose fortunes form a very singular episode in the Vicissitudes of Families, requires a chapter to itself.

The chief residences of the Livingstones were Livingstone, and Midhope Castle in Linlithgowshire, the Castles of Callendar, Herbertshire, Brighouse, and

Haining in Stirlingshire; and the Viscounts of Kilsyth possessed, also in Stirlingshire, the strongholds of Colzium and Kilsyth. Of these the largest and most important appears to have been the Castle of Callendar, —a place of considerable strength before artillery was invented; and even so late as the time of Cromwell, against whose troops it made a gallant resistance, a fortress capable of defence. It then occupied nearly the same site as that on which Callendar House now stands; it was encircled by a deep moat or fosse, crossed by a drawbridge, and filled by the springs which now supply the ornamental sheet of water in the grounds. The space within the moat was surrounded by a high bastioned and curtained wall, and defended in front by a square tower or barbacan, the wide gateway of which afforded the only access from the castle to the park. The greater part of the present House of Callendar is said to have been built about 180 years ago, by Alexander, second Earl of Callendar, generally called the covenanting Earl. Herbertshire Castle, another strong embattled residence, remains to this day; it is one of the few genuine old Scotch castles still inhabited by a family of the higher ranks; though a very old building —indeed the date of its erection is not distinctly known —it is, even now, one of the most comfortable and well-arranged mansions in the county. Callendar House and Herbertshire belong to Mr. Forbes; they are both in perfect preservation, and fitted up with all the luxuries and comforts of modern life. The other strongholds of the Livingstones in Scotland are in ruins;— and for the rest—

> "The Knights are dust,
> And their swords are rust,
> And their souls are with the saints, I trust."

A wide-spreading branch of the old stock has, however, taken root in the United States of America, and still flourishes there.

The Lairds of Westquarter.

"And yon auld tattered Carle, wha sits
In dule beside the kirkyard stone,
Sae bent and grey and crazed wi eild—
Was ance the Laird o' Lamington."

OLD BALLAD.

IMMEDIATELY adjoining the park of Callendar, and separated from it by a little stream, which, rising in the upper part of Stirlingshire, and wandering through some of the most romantic scenery in Scotland, falls into the Forth at Grangemouth, lies the estate of Westquarter, which has formed a portion of the Livingstone possessions since the first settlement of the family in the district;—either held by the Chief, or—as far back as the year 1400—given off as the appanage of a younger son, and reverting to the head of the house on the failure of the cadet branch. Situated in a walled park of three hundred acres, diversified with rocky precipices, and undulating banks, clothed with magnificent timber, and uniting the stiff and stately avenues and terraces of former days with the winding approaches of the present, Westquarter is beyond comparison the most picturesque residence in the eastern district of Stirlingshire, —in this respect—so far as regards the natural beauties of the landscapes which it encloses,—far surpassing the

larger and more ancient place of Callendar. The house, which is of considerable size, built round and enclosing a central court, with its *porte cochère*, steep slated roofs and notched gables, is not unlike in extent and character some of the chateaux of the provincial noblesse in Normandy and Brittany. On the walls of the southern and more modern portion of the building are the dates 1626 and 1648, but the original edifice is much older than either of these. Though a large house, from the manner in which it is built, it looks much larger than it is in reality, and is certainly a stately and imposing mansion for the residence of a younger son: it contains some ancient arms, skull-caps, and coats of mail, some stern-looking pictures of the old Barons, and the cabinet of the four Maries already mentioned, said to have been the gift of the unfortunate Queen. The direct ancestor of the first Livingstones of Westquarter appears to have been Robert, the second son of Sir John, the third of Callendar, who was killed at Homildon in 1402. I afterwards find the estate in the possession of Sir William Livingstone, of Westquarter and Cultre, fifth son of the sixth Lord Livingstone, of whom the late Admiral Sir Thomas Livingstone was the heir of line, and it is now the property, under the Admiral's will, of his grand-nephew, Thomas Livingstone Fenton Livingstone of Westquarter, the heir of line of the Westquarter and Cultre branch, as well as of the Honourable Sir George Livingstone of Ogleface, the first baronet. Throughout the contests between Charles the First and the Parliament, and during the time that Charles the Second was in Scotland, although the first Earl of Callendar was for a time a stout Covenanter, the

Livingstones were—as afterwards in 1715 and 1746—the stanch adherents of the Royal Family, to the great injury of their fortunes in the earlier of these periods, and to their utter ruin in the latter. This did not, however, prevent many of the family from signing the Covenant, though none of them, with the exception of the second Earl of Callendar, appear to have been very zealous in its favour. When the Convention of Estates decided to take the part of the Parliament against the King, it was a matter of agreement that the Solemn League and Covenant should be signed by both nations. In Falkirk this act was performed with great solemnity, on Sunday, the 7th of November, 1643. A table was set before the pulpit, on which the deed lay, and the elders were stationed at the various entrances of the church to usher in those who intended to affix their names. Amongst the elders who officiated on this occasion, the most prominent and highest in rank was Sir William Livingstone, or "*Westquarter*," as the Session Records denominate him, and to him was specially committed the charge of the "North aisle." His covenanting propensities, however, were not strong enough to prevent "Westquarter" from joining his kinsman, the Earl of Callendar, when it was resolved to raise a Scottish army (known as the Engagement, or "Duke Hamilton's Ingagement"), to attempt the rescue of King Charles. On this occasion, the Earl of Callendar being nominated (11th May, 1648) Lieutenant-General of the whole land and sea forces, his well-appointed army marched into England, and took possession of the town of Carlisle, of which important place the Earl received the commission of governor, and appointed

Sir William Livingstone of Westquarter his Lieutenant-Governor. The Earl was accompanied into England by a gallant band of his retainers, "the blade and buckler-loving Bairns of Falkirk," and his other tenants and vassals, and after the disastrous retreat, when at Warrington Bridge, on the 15th August, 1648, 10,000 Scotchmen threw down their arms, and yielded themselves prisoners of war, one glorious exception to the general cowardice was exhibited by the immediate followers of Lord Callendar;—they threw themselves round their chief, and cutting their way through the victorious republicans, returned unmolested to Falkirk. The Earl himself, on getting clear of his enemies, rode straight to London, whence he fled to Holland. So gallant and successful was this onslaught of the Callendar retainers, and so complete the escape, that the memory of the affair rankled long in the heart of the Protector, and when he published his Act of Indemnity in 1654, Lord Callendar was specially excepted from its provisions. On the return of the survivors of this gallant and devoted band to Falkirk, it is amusing to find that they were all severally summoned to appear before the Kirk Session to answer to the charge of having fought for their king and chief, in despite of the mandates of the Church, and that the heroes who had set at defiance the battalions of the Commonwealth, and had cut their way through Cromwell's Ironsides, actually—at least eighty-five of their number—submitted to Church discipline as sinners, and confessed their guilt, in the ignominious garb of penitents, at the command of the fanatical Kirk Session!

The founder of the present family of Westquarter in the male line was the Honourable Sir George Livingstone of Ogleface (second surviving son of William, sixth Lord Livingstone), who was created a baronet on the 30th May, 1625. Sir George appears to have been a prominent person at the court of James the Sixth—there are extant three commissions of justiciary by this king, appointing the Honourable George Livingstone his Majesty's Justiciary for the trial of various crimes. Two of them—one dated 1596, the other 20th August, 1597—are for the trial of sundry persons accused of the crime of witchcraft. Sir George became one of the adventurers for the plantation of forfeited estates in Ireland, and in 1608 he received a grant of 2,000 acres in the county of Armagh, where he died prior to June, 1628.

In 1645, the estate of Bedlormie was added to the possessions of the family, by the marriage of Sir George's grandson, Alexander Livingstone, Esq., of Craigengall, with Susanna Walker, the heiress. This marriage is entered into with the consent not only of the bridegroom's father, but of "ane high and potent earl, James, Earl of Callendar," who advances the sum of 3,000 marks, to clear off the debts of Bedlormie, and to enable the estate to be settled, free of incumbrance, on his kinsman. But this is only one instance, amongst many, of the friendly interference and assistance of the Chief to promote the interests of his cousins.

Amongst the peculiarities of Scotch grants of peerage, one of the most remarkable is the power, occasionally conferred by the sovereign, enabling the peer in possession to designate and appoint his successor *in the*

dignity. Of this there is a striking instance in the Callendar succession, under which the Westquarter branch maintain that their right to the titles of Lord Livingstone of Almond and Earl of Callendar was not affected or injured by the attainder of the Earl of Linlithgow and Callendar in 1715. By a charter under the great seal, proceeding on a sign manual, dated at Auburn Abbey, in England, the 28th July, 1647, Charles the First conferred on James, then Earl of Callendar, the most ample powers (failing heirs of his body) of nominating and appointing successors to his estates and *titles;* and his Majesty did by his said royal charter, "Will and grant, decree and ordain, that the person succeeding by the designation and nomination of the said James Earl of Callendar, named and designed as aforesaid, should for ever thereafter enjoy the honour, title, rank, and dignity of an earl, with the same place and presidency as the foresaid James Earl of Callendar possessed and enjoyed." This charter was ratified in Parliament on the 11th May, 1648; and in virtue of this charter and Act of Parliament, the estates and titles of Callendar were strictly settled and limited by Lord Callendar. The persons first favoured by this settlement were the family of Linlithgow, next the Livingstones of Daldeise, now extinct, and lastly, "the nearest lawful heirs male whatsoever of the said James Earl of Callendar." That character undoubtedly belonged to Sir Alexander Livingstone (the father of the late Admiral), by whom a case was (in 1784) laid before Lord Kenyon, who gave it as his unhesitating opinion that Sir Alexander was not affected by the attainder of 1715, and was legally entitled to the earldom. Forming part of the evidence

submitted to Lord Kenyon in support of the Westquarter pedigree, were several documents curiously illustrative of the relations subsisting in those days between the different branches of a Scottish house. In 1676, the exact degree of relationship betwixt the ennobled families of Linlithgow and Callendar, and the Ogleface or Westquarter branch appears to have formed the subject of some legal enquiry, and immediately formal declarations and attestations under the hands and seals of both earls are prepared, and are afterwards duly recorded in the Register of Probate Writs. That by the Earl of Callendar is as follows:—"Wee Alexander Earl of Callendar Lord Livingstone and Almond, &c. Doth hereby testify and declare that Sir Alexander Livinstone, Knight, now of Craigengall, is lawful son and air to umquhile William Livingston, of Craigengall, who was lawful son and heir to umquhile Sir George Livingstone, of Ogleface, Knight, the which Sir George Livingstone was next brother german to umquhile Alexander Earl of Linlithgow, our grandfather. Written by William Duncane, our servant; given under our hand at Callendar, this twenty-ane day of October, 1676 zeiris, Before their witnesses Normand Livingston of Milnhill, and William Duncane above written." The attestation by the Earl of Linlithgow is precisely in the same terms, and is dated from the Castle of Midhope, this 20th September, 1676.

There were two other documents also laid before Lord Kenyon, which are strikingly indicative of the strong bonds by which families of the same race were then held together in Scotland, and of the grave and stately intercourse which took place betwixt the chief and the cadet

houses of his name. The future lot and career in life of the young Laird of Bedlormie had evidently been the subject of much anxious thought and consideration with his chief; for on the 27th of March, 1715, when men's minds were greatly occupied with the rights and interests of higher dynasties than even that of Livingstone, the Earl of Linlithgow thus writes to his cousin of Bedlormie:—"Sir, I give you the trouble of this upon ane occasion I'm very sorry for, I mean that of your son's going to sea again. I would gladly have you consider how few of our name there are now in Scotland, and that he is the nearest relation of the name I have, and should anything ail, my son and me must certainly succeed to the honours of Linlithgow. I cannot think that he will do anything that is disrespectful to you or his mother, and I am persuaded he will do all he can to oblige you both. By what I can learn from him, he would be satisfied with a very small thing to live upon here, and I am sure it will be more for your honour to have him at home, than he should go abroad again. This I hope you will think of, and your complying with my desire will very singularly oblige, sir, your affectionate cousin and humble servant,

"LINLITHGOW.

"I hope you will give my humble services to your lady.

(Addressed) "To the Laird of Bedlormie.

"Callendar, March 27th, 1715."

This application produced apparently no result, and his lordship finds it necessary to be more specific in stating what he wishes Bedlormie to do. In about a

month after, he writes the following: "19th April, 1715. Sir, I give the trouble of this again, in favours of my cousin, who I assure you I think none of his friends have reason to be ashamed of. I am now about to make a proposal to you about him, which is, that you'll allow him fifty pounds sterling a-year, which I assure you I take to be very little for a gentleman to live upon, and I shall answer he shall not trouble you for anything else. I hope I need use no arguments to bring you into this measure, since I think an oldest son ought to be very dear to his parents. You may depend on it, I am resolved to do all I can to serve him, and I hope he shall yet be an honour to his friends and family. I am, sir, your affectionate cousin and humble servant,

"LINLITHGOW.

"I shall gladly persuade myself you'll
comply with this request.
"To the Laird of Bedlormie."

An annual income of £50 sterling, even in those days, was certainly a moderate allowance for a gentleman of birth and quality, the eldest son of a baronet, and the next in succession but one to an ancient earldom; but money went far in the northern division of the kingdom at that period, and kinsmen and followers, not pecuniary means, gave importance and family influence.

The anticipations of Lord Linlithgow as to the failure of the senior branches, were not long in being realized. In 1695, the Earl died without issue, and his nephew and successor, the Earl of Callendar, by the decease of his only son, James Lord Livingstone, on the 30th

April, 1715, was left without a male heir, while his only surviving child, the Countess of Kilmarnock, became like her ancestress Christine de Calynter, a landless lady by the attainder of her father. The male representation of the family devolved, after the attainted Earl, on Sir George Livingstone, and in succession on his two brothers, Sir Alexander and Sir William; and at their deaths, on their nephew, Sir Alexander of Westquarter and Bedlormie. On this accession of Sir Alexander (the father of the late Admiral Sir Thomas Livingstone), he took possession of a barren inheritance: with the exception of Bedlormie, at that time of very small annual value, strictly entailed and encumbered with family provisions, not an acre of the great estates of his ancestors remained; even Westquarter (though afterwards recovered, as having been illegally sold, contrary to the provisions of the deed of entail under which it was held) had passed into other hands, and had gone by purchase into the possession of Francis, seventh Lord Napier, whose family had taken up their residence in the Mansion House. Indeed, the history of the recovery of Westquarter is a romance in itself, and in spite of its apparent improbability, is generally believed to be true;—the tale runs thus:—Sir Alexander Livingstone, after the death of his uncle, by which event the succession opened to him, deemed it necessary to visit Edinburgh for the due arrangement of his affairs. He set out accordingly, by post, from London, and, on his way, stopped at the inn at Belford, a small town betwixt Alnwick and Berwick, on a stormy Christmas afternoon. So tempestuous indeed was the weather, that the landlady besought Sir Alexander to proceed

no further that evening. She explained to him that the next stage was a long one, that night was approaching, and the roads bad and hilly; that she had only tired horses in her stables, and that, besides, it was the custom of the house to entertain all the postillions, hostlers, and other servants at a Christmas supper. Thus urged, Sir Alexander consented to remain, only stipulating for some books and newspapers to pass the evening with. Unfortunately, the library of mine host of Belford was not extensive; the lady brought the Bible, the Pilgrim's Progress, and the Seven Champions of Christendom; and these not meeting with Sir Alexander's approval, he was informed that they exhausted the literature of the household, but that there were some curious old papers in a closet adjoining the sitting-room into which he had been ushered. In default of occupation more attractive, Sir Alexander began an examination of the closet, which, to his astonishment, he found to contain an ample store of law papers, legal processes, and other similar documents, all of them having reference to Scotch lawsuits. His curiosity was excited, and, his eye having caught the names of Livingstone and Westquarter, he continued his researches, and at last lighted on the title deeds of the estate of Westquarter, which appeared to have been produced as evidence to instruct some statement of fact in a litigated case. On applying to the landlady, she cleared up the mystery, by informing him that she was an Edinburgh woman—the daughter of a Scotch solicitor—that she had married below her own condition in life, and that she had removed, with her husband, to Belford, to which place, at her father's death, she had brought

many of his old papers, which as lumber had been thrown into the closet, where Sir Alexander had discovered them. Many others, she told him, had been destroyed, and, being supposed to be of no value, had been employed in singeing fowls, for pasting up crevices and cupboards, and for other household purposes. To the Westquarter documents Sir Alexander was made heartily welcome; his Belford Christmas night had indeed been for him a most fortunate occurrence, and he started for Edinburgh next morning, carrying with him the very title-deeds with which he was enabled to vindicate his right to the estate and to *oust* Lord Napier from it. This curious story has been long current in Stirlingshire, on the authority, it is said, of Sir Alexander himself; and this much in corroboration is certain, that some title-deeds had disappeared, that Westquarter had been sold, that it was in the possession of the Napiers, and that it was recovered by Sir Alexander Livingstone as having been, in violation of the family settlements under which it was held, illegally alienated. The estate thus regained, the price at which it had been sold —though far below its value—had to be repaid, and despite of counter claims for rents levied and woods cut down, large sums had been expended by the Napiers on permanent improvements, which had also to be accounted for:—in short, though the restoration of the property and residence did much for the position of the family, it added little or nothing to its immediate resources. As far as actual income was concerned, the nominal owner of Westquarter and Bedlormie was almost in as disastrous a position as his attainted relatives. To add to his comforts, Sir Alexander had

married twice, his second wife being a daughter of the noble House of Cranstoun, at that time as impoverished as his own, and he had a family of nine sons and three daughters, with no means to maintain them in their station. As Sterne says, in the Sentimental Journey, "when States and Empires have their periods of declension, and feel in their turns what distress and poverty is," I stop not to tell what had gradually brought the House "of Westquarter" to this decay—but it was so. For his nine sons Sir Alexander could do little more than usher them into the world, and tell them to seek their fortune where they best might find it. Two of his daughters married in their own rank in life, another died young; the fates of the sons were various; none of them, however, left descendants except one—Thurstanus—to be more particularly referred to—at least none of them left a male heir. On the 17th September, 1782, Sir Alexander placed his third, but eventually eldest surviving son, Thomas, in the Royal Navy, on board the frigate "Brune;" but the state of the family exchequer did not permit a similar start in life to be given to the younger brother, Thurstanus, who was entered the following year (1783), at the age of fourteen, as an apprentice on board "the good ship Mary Anne," a merchant vessel out of the port of London. The future lots in life of these two brothers were widely different. Sir Thomas rose to the highest rank in his profession, Admiral of the Red in 1851, and succeeded to the estates of Westquarter and Bedlormie, which he cleared of all debt, and the former of which he greatly added to by purchase, and embellished: he married the only daughter of an opulent baronet, Sir James Stirling,

of Mansfield, and was so far recognised by Government as the heir and representative of the Earls of Linlithgow and Callendar, that they restored him (for his life only) to the office, long hereditary in his family, of Keeper of the Royal Palaces of Linlithgow and of Blackness Castle, with the lands of considerable annual value which formed the appanage of the Keeper. Eventually, after a continuous career of worldly success, he died at Westquarter in 1853, a wealthy and prosperous gentleman. To the otherwise unbroken good fortune of Sir Thomas there was one drawback, and he felt it severely—he was childless; and in addition to this, he knew that on his death a dispute as to the succession must arise, disastrous and ruinous to his family, and inevitably resulting, in his view of the legal questions involved, in the utter extinction of the male line of his house.

The different career of his younger brother, Thurstanus, may to some extent be gathered from the following petition which he presented to the Trinity House in 1818. It is a sad and strange document as the application of a person who was at that time next in succession to an ancient Baronetcy, to considerable estates strictly entailed, and to the undoubted representation of two Earldoms, and who was the lineal descendant, indeed, if he survived his brother, the lineal heir male, of a Regent of Scotland.

The Petition proceeds as follows:—

"To the Honourable the Master, Wardens, and Assistants of the Corporation of Trinity House of Deptford, Stroud—

"The Humble Petition of Thurstanus Livingstone,

aged 49 years, residing at Rotherhithe Parish, where he has lived for nine years, and followed the occupation of a sailor,—sheweth,—

"That your Petitioner went to sea at the age of fourteen years, in a vessel out of the port of London, and served there as an apprentice to Captain James Innes, in the ship 'Mary Anne,' Jamaica trade, and latterly in the station of second mate and boatswain, on board the ship 'Kitty,' Captain Daniel Warren, master, in the Baltic trade, and in that capacity served for five voyages.

"That your Petitioner has a wife, Catherine Anne Livingstone, and three children under twelve years of age, incapable of earning their living, whose names and ages are, Alexander Livingstone, aged seven years; Catherine Anne Livingstone, aged four years; Thurstanus Livingstone, aged sixteen months.

"That your Petitioner is not now able to support himself and family without the charity of this Corporation, having no property or income, and no pension or relief from any public charity or company, except from the Royal Chest of Greenwich, which is £8, for a disabled arm.

"Your Petitioner, therefore, most humbly prays, that he may be admitted a Pensioner of this Corporation at the usual allowance.

"Your Petitioner will ever pray.

(Signed) "THURSTANUS LIVINGSTONE."

This melancholy application was successful, and Thurstanus received an annual pension of six pounds, which he drew till his death, in 1839.

The foregoing petition contains merely a very brief and imperfect outline of the various fortunes of Thurstanus; it sets forth correctly that he had at first entered the merchant service, and had never risen higher than to be a second mate and boatswain, but it omits that he had served for some years in the Royal Navy as a common seaman, and that on leaving the navy he had taken the command of a privateer—apparently an enemy's ship. In his domestic circle, however, this part of his career was by no means shrouded in mystery: in the course of the voluminous proof in the lawsuit to be immediately mentioned, this part of his adventures is repeatedly spoken of. One of his old friends, James Gale, a turner at Rotherhithe, deposes, "I have heard Thurstanus Livingstone speak of a vessel of war in which he had been on board, but I can't tell the name of it. I have heard him also speak of the admiral, his brother, having the command of a vessel of war; and Thurstanus has told me that on one occasion while he, Thurstanus, had the command of a privateer, he fell in with a ship of war in the command of his brother, who chased him, but Thurstanus escaped." This is corroborated by another old friend, Robert Clack, "a butcher to trade in Adam Street, Rotherhithe." "Thurstanus told me," says his friend the butcher, "that the first cause of his falling out with the admiral was his leaving the Royal Navy and joining a privateer. He said that he was in action in a privateer, and wounded in the action."

The services of Thurstanus in the navy are distinctly recorded in the books of the different ships in which he served. His first appearance in the navy is on the 10th

December, 1796, when he joins the "Sandwich" as an able seaman. Here he remains for only five months, being discharged on the 6th May, 1797, in consequence "of a lacerated wound in the right arm by getting it entangled in the mainstay tackle fall when assisting to strike Beer into the hold, on the 24th of March, 1797;" and on the 5th September, 1797, the surgeon certifies that this "has deprived him of the use of his hand, for which he deserves six pounds a year, and three pounds for present relief." He again enters the navy, 2nd April, 1809, in her Majesty's ship "Star," from which he is immediately transferred to the "Salvador del Mundo," in which he remains for two years and a half, when he is discharged as unserviceable on the 18th of November, 1811. After this he is employed in various capacities, "as a *ship keeper* to old Mr. Mangles, of Rotherhithe: and he also sailed as *cook*, being employed in that capacity by Captain Johnson, who was ship's husband for Mr. Mangles." In the concluding years of his life he seems to have eked out his subsistence as a turner and maker of yard measures, and he dies in 1839, in utter poverty—"et sic decessit Thurstanus filius Levingi"—the lineal descendant of a Regent of Scotland, who had imprisoned a Queen, and decapitated an Earl of Douglas!

Thurstanus left two sons and a daughter; the admiral died in April, 1853, without children; and then commenced the competition for the entailed estates of Bedlormie, which Sir Thomas had anticipated. Regarding the children of Thurstanus as illegitimate, on the ground that they were the offspring of his brother's second marriage with the sister of his first wife, Sir

Thomas executed a deed by which he directs his trustees to entail the estate of Westquarter on his grandnephew and eventual heir of line, Mr. Fenton Livingstone, the grandson of his sister, Mrs. Fenton. Sir Thomas held both Westquarter and Bedlormie under settlements of entail, but the Westquarter entail was defective from the omission of a clause prohibiting the alteration of the order of succession. The Bedlormie entail, on the other hand, was altogether unassailable, and the succession was strictly limited to heirs male. While Westquarter thus passed immediately and without question to Mr. Fenton Livingstone, a competition arose betwixt Mrs. Fenton, Sir Thomas's sister, and her presumed nephew, Sir Alexander Livingstone, as he then styled himself, the eldest son of Thurstanus, for the estate of Bedlormie, Mrs. Fenton claiming, as Sir Thomas's sole heiress, on the assumption that the whole heirs male had failed, and that her nephew was illegitimate. In the lawsuit which ensued, Sir Alexander maintained—1st. That as the eldest son of the only brother of Sir Thomas who had left male issue, he was the heir of the investiture, and entitled to the estate; 2nd. He denied that his father's two wives were sisters; 3rd. That whether they were sisters or not, was of no moment, that his parents were domiciled in England, had been regularly married *in facie ecclesiæ*, were both long since dead, and no attempt to invalidate their marriage having been made during their lives, it was impossible to question it now,—that he was legitimate by the law of England, and entitled to all the rights and privileges which legitimacy conferred; and 4th, and lastly, he pleaded that the marriage of two sisters in succession

was not unlawful by the law of Scotland. After a long and elaborate litigation, a *unanimous* judgment was pronounced by the Court of Session (on the 27th of May, 1856), sustaining the third plea of Sir Alexander, "that being legitimate in England, the law of Scotland was bound to recognize the legitimacy so acquired, and consequently that he was entitled to succeed to the estate;" and thus entirely avoiding, and finding it unnecessary to give any judgment on the questions of fact and law, as to whether the two wives were or were not sisters, and whether the marriage of two sisters is or is not illegal by the law of Scotland. This unanimous judgment of the Court of Session was carried by appeal to the House of Lords, and there (in 1859) as *unanimously* reversed, the whole of the law lords concurring in holding that, while Sir Alexander Livingstone was undoubtedly legitimate in England, at least that his legitimacy could not be effectually challenged in England, yet if in point of fact his father's two wives were actual sisters, though legitimate, he was not the issue of a marriage which the law of Scotland regarded as lawful, and therefore they remitted back the case to the Court of Session for further consideration. Under this remit, two very nice questions, one of fact and the other of law, were to be determined; 1st. Were the two wives of Thurstanus Livingstone sisters? 2nd. Is the marriage of two sisters in succession unlawful in Scotland? From the proof already given, it appeared that Thurstanus Livingstone first married, on the 25th October, 1797, Susannah Browne, the widow of a ship carpenter, and again, on the 7th August, 1808, Catherine Anne Ticehurst, also a widow, and there seemed in the proof

abundant moral evidence to show that these two widows were the daughters of two persons of French origin, John Dupuis, a Spitalfields' weaver, and of Susannah Dupuis, both of the parish of St. Matthew, Bethnal Green. Various marriage certificates were recovered and produced, but there was no certificate of the *marriage* of John and Susannah Dupuis; and in the certificate of the burial of Susannah Dupuis, she is not described as the wife of John Dupuis, nor in that of John Dupuis is he described as her husband. Both these persons are understood to have been of French origin, and were of a class of life in France not always very particular in the observance of matrimonial ceremonies.

The legality of a marriage with the sister of a deceased wife had never been the subject of a civil action before the Scotch Courts. The Scotch law of marriage is embodied in the statute 1567, cap. 15, which provides "that the halie band of matrimony be als lawful and als frie as the lawe of God has permitted the samin to be done;" and the immediately preceding statute (1567, cap. 14) expressly refers to "the Word of God as it is contained in the eighteenth chapter of Leviticus." The Confession of Faith of the Scotch Church (ratified by Parliament in 1690) indeed goes farther than this, and expressly declares that the man may not marry of his wife's kindred nearer in blood than he may of his own, nor the woman of her husband's kindred nearer of blood than her own; but though this may be taken as the authoritative construction of the Divine Law by the Presbyterian Church, and as such, in subordination to Scripture, the stand of faith to all Presbyterian bodies in this country; yet it may be seriously doubted

whether a ratification by Parliament of articles of religious belief, can be regarded as rendering these conclusive as statutory enactments in the adjudication of civil rights.

Such, however, were the two points which were decided in this celebrated case. The decision found that the widows Browne and Ticehurst were sisters, and that on that ground the second marriage of Thurstanus Livingstone was illegal according to the law of Scotland, and the children, who sprung from it, incapable of succession in Scotland: the baronetcy of Westquarter and the dormant earldom of Callendar, were consequently deemed to have been extinct. Though the representatives in the male line of the families of Linlithgow, Callendar, and Westquarter are in this way extinguished in the land of their fathers, it remains at least as some consolation to those who take an interest in matters of pedigree and descent, that of the heirs of line of Livingstone *two* still exist in possession of the dignity of the Scotch peerage viz., the Earl of Erroll, the unquestioned heir of line of the Earls of Linlithgow and of Callendar; and the Princess Giustiniani, in her own right Countess of Newburgh, and *one* enjoying the rank and position of a landed gentleman, Mr. Fenton-Livingstone, the heir of line of Westquarter.

Three Plantagenet Ladies.

"Then ere of other lines we tell,
Fair chivalry, adieu;
Plantagenet's last passing bell
A requiem rang for you."

OLD BALLAD.

I.
THE FAIR MAID OF KENT.

"Once a bright star, that held her place on high,
The first and fairest of our English dames
While Royal Edward held the Sovereign rule."

JOAN, the Fair Maid of Kent, was the daughter of Edmund Plantagenet Earl of Kent, surnamed of Woodstock, sixth and youngest son of King Edward the First. Thus she was sister of Edmund, and heiress as well as sister of John, Earl of Kent, at the time of whose death, in 1352, she had attained to somewhat more than her twenty-fifth year. From her surpassing beauty she was honoured far and wide with the sobriquet of the "Fair Maid of Kent." To this name we may easily suppose she had a good title, for she may be said to have been married thrice; and each time to a husband more or less distinguished in the annals of the period. Her first marriage, or rather nuptial contract, was one in which her own will or choice could have had no share whatever. While yet a mere child, she had been

affianced to Sir Thomas Holland, a knight of the Garter, and one amongst the Founders of that most noble order. During his absence from England, the Earl of Salisbury, or, as some have said, the Earl's wife, under whose charge she was placed, caused a contract of marriage to be drawn up between Joan of Kent and the heir of the house of Montacute. The motives for this unjustifiable act—for we cannot suppose either of them to have been ignorant of the previous contract—were, no doubt, ambition, and cupidity; ambition, because whoever married Joan became connected with the royal family of England; cupidity, because of the great wealth she was likely to inherit, as, from the feeble constitution of her brother John, it seemed by no means improbable that all the vast property accumulated during the youth of two Earls of Kent would eventually descend to her. When, however, Joan became of marriageable age, Sir Thomas Holland stepped forward to show a prior contract; and, on a petition to Pope Clement the Sixth alleging the same, his Holiness gave her to Sir Thomas, who became *jure uxoris* Earl of Kent.

The singular *naïveté* with which the "*prelibatio matrimonii*" is pleaded by Sir Thomas, and the easy way in which he slips the lady's dubious alliance with his opponent, give us strange notions of the moral code of the period. Nor is our surprise likely to diminish, when we consider that the fair one was the grandchild of a monarch, and that the husband, who had won her, was one of the Founder-Knights of the Order of the Garter.

By this second husband—for he may perhaps be

styled such—Joan had several children, amongst whom were Thomas, Earl of Kent, and John, Duke of Exeter, both, as we shall hereafter find, to be honourably mentioned in her will. The Earl, her husband, died in 1360.

The third lover, who had the good fortune to win this fair prize, was more illustrious than either of his predecessors, and more nearly allied to our historic sympathies.

This was no other than the Black Prince, heir-apparent to the crown of England. Owing, however, to the fact that the Prince's father, King Edward, was cousin german to "the Fair Maid," there was a bar to the union, which could only be removed by a Papal dispensation. This appears from the note of a certificate given by Simon, Archbishop of Canterbury [Harleian MS. 6148], to Edward, Prince of Wales, dated 9th October. Allusion is therein made to the Bull from Pope Innocent, granting a dispensation for his marriage, he being within the limited degrees of kindred, and for christening her eldest son; "whereupon," the document goes on to say, "many scandals may arise: Item, she was afore contracted to Thomas Montacute, Earl of Salisbury; after, to Thomas Holland, knight; and betwixt whom grew strife in that cause before the Pope's court; but judgment was given against the Earl, and she remained wife to the knight, and the Earl therewith content, married another noble lady at Lambeth, in presence of Delawarr," &c. &c.

"King Edward," says one historian, "was greatly pleased both at his son's determination and his choice; a more suitable match could not have been proposed to

him, as he wanted not to strengthen his throne by foreign alliances. The prince, the great grandchild of Edward the First, of happy memory, the Countess the grandchild of the same monarch; he the glory of his sex for military performance, and all princely virtues; and she the flower of her's for the delicacy of her beauty, the sprightliness of her wit, and the goodness of her heart. To noble and ingenuous minds affectation is displeasing; they, therefore, no longer delayed to indulge their wishes than was necessary to procure a dispensation from the Pope on account of their consanguinity: this being obtained, they were married with great splendour and solemnity at the castle of Windsor, on the 10th of October, 1361, and during their whole lives lived an example to the English court of that nuptial harmony and felicity which flows from a well-placed affection."

Their London residence was not very far from the Tower, standing above Crooked Lane end, on Fish Street Hill. The house, when Stowe wrote, was still to be seen, reduced by a series of vicissitudes to the condition of an Inn, with the sign of the *Black* Bell.

The fruit of this union of Edward and Joan was the unfortunate King Richard the Second, whom Bolingbroke despoiled of his crown, and most probably of his life; for without laying much stress on the historical fidelity of our great dramatist, we may believe him on this point. It is an old and established dictum, that the prison of a King is always close upon his grave.

The traditional tale of the Prince's wooing might form a chapter of no little interest in an historical

romance. Joan was in her thirty-third year, and Edward in his thirty-first, when he undertook to woo her, not for himself, but for a friend, whose name has been lost to us, escaping through the sieve in which fame shuffles so many illustrious claimants for her favour. In the outset the Prince urged his friend's cause with equal earnestness and good faith, pressing his arguments on Joan with so much warmth, that, assuming a widow's boldness, she exclaimed, "When I was a ward, I was disposed of by others; but now, being at years of discretion, and mistress of my own actions, I will not degrade myself by marrying beneath my rank. I cannot but remember that I am of the blood royal of England, and am resolved never to marry again, unless it be to a person princely and virtuous as yourself."

The narrator of this tale, probably to grace his heroine, adds that her blushes betrayed her secret to the Prince. The hint was not thrown away, and the gallant wooer, finding it useless to plead for another, began to plead for himself.

Joan outlived her third husband some years, dying at Wallingford Castle, in 1385, the 9th of King Richard's reign. It is said that her decease, which occurred after an illness of four days only, resulted from grief, in that King Richard denied her earnest suit for the pardon of her son, his own half-brother, Sir John de Holland, who had slain the heir of the Earl of Stafford, and fled to the sanctuary of Beverley.

The will of the rich heiress, in which certain costly beds make a very conspicuous figure, may serve to exemplify the manners of the times, as well as to illustrate the similar bequest in Shakespeare's testament.

How much wrath and ink shed amongst the poet's commentators has been occasioned by the bequest of a handsome bed to Anne Hathaway! It was like cutting her off with a single shilling, and evidently betokened unkind feeling to poor Anne on the part of the expiring poet. Yet here we have a Princess making the same sort of donation to her favourite sons, and evidently believing that she was marking her regard for them. It is lucky for the Fair Maid of Kent that she found no commentators. But to the Will:—

"In the name, &c. In the year of our Lord 1385, and of the reign of my dear son, Richard, King of England and France, the 9th, at my castle at Walyngford, in the diocese of Salisbury, the 7th of August, I, Joan, Princess of Wales, Duchess of Cornwall, Countess of Chester, and Lady Wake. My body to be buried in my chapel at Stamford, near the monument of our late lord and husband, the Earl of Kent. To my dear son, the King, my new bed of red velvet, embroidered with ostrich feathers of silver, and herds of leopards of gold with boughs and leaves issuing out of their mouths. To my dear son, Thomas, Earl of Kent, my bed of red camak, paied with red and rays of gold. To my dear son, John Holland, a bed of red camak. To my dear son, Richard, King of England and France, &c. And I appoint the venerable Father in Christ, my dear friend and cousin, Robert, Bishop of London; William, Bishop of Winchester; John, Lord Cobham; William de Beauchamp, William de Nevill, Simon de Burle, Lewis Clifford, Richard Stury, John Worthe, steward of my lands, and John le Veche, Knights; together with my dear chaplains, William de Fulburn, and John de Yernemouth;

and my loving esquires, William de Harpele, and William Norton, my executors.

"Witnessed by the Pryor of Walynforde, and John James.

"*Proved 9th December*, 1385."

In compliance with the Princess's injunction, her remains were deposited in the church of the Grey Friars at Stamford; and "there she was laid down to her last sleep, preferring, in death, companionship with the old knight to sharing a tomb in Canterbury with her second husband, Edward of Woodstock!" *

The fair Joan's eldest son, Thomas Holland, who succeeded to the Earldom of Kent, had two sons, both in succession Earls of Kent, and both distinguished men. The elder, Thomas, created Duke of Surrey, and made a Knight of the Garter, was beheaded by Henry IV.; and the younger, Edmund, last Earl of Kent, Lord Admiral of England, was mortally wounded at the siege of Briak, in Britanny. Joan's third son, John Holland, was created Earl of Huntingdon, 1387, and afterwards Duke of Exeter by his half-brother, King Richard II., and beheaded by King Henry IV. The grandson of this ill-fated nobleman, Henry Holland, last Duke of Exeter, was so reduced that Comines narrates that he saw him in such deep distress that "he ran on foot barelegged after the Duke of Burgundy's train, begging bread for God's sake." How he came by his death has never been ascertained. In 1473 his dead body was found in the sea, between Calais and Dover.

The descendants of "the Fair Maid of Kent" are

* DORAN'S *Lives of the Princes of Wales.*

very numerous, and those even who are entitled, as her co-representatives, to quarter the Plantagenet arms, are not a few: but, in illustration of my subject, and of the vicissitudes from which Royal Houses are not exempt, it will be mournfully interesting to learn, that within our own time one branch of her line—a branch on which has devolved the heraldic right of carrying as her CO-HEIRS the Royal Shield of Plantagenet, and I know not how many other quarterings—was earning an honest livelihood by trade and labour. In few words, the story, which is authentic beyond all question, runs thus:—

The male line of the Hollands, Earls of Kent, ended as I have just described, and the heirship of the illustrious race passed to the sisters of the last Earl. One of these ladies, Alianore Holland, married Edward Cherleton, Lord Powis, and transmitted her royal blood, through the Tiptofts, the Suttons, and the Wards, to Ferdinando Dudley Lea, Lord Dudley, who died unmarried in 1757, when the Barony of Dudley fell into abeyance amongst his Lordship's sisters. One of these highborn ladies, in whose veins flowed the blood of the mightiest families in the land, and in whom vested the co-heirship of the Barony of Dudley, married Walter Woodcock, Esq.. of Halesowen, known as "Squire Woodcock," and left grandsons, co-heirs to her hereditary distinctions, of whom the eldest was Joseph Smart, who carried on the business of a butcher at Halesowen!

Marvellous indeed is the contrast! The descendant and co-representative of the Fair Maid of Kent, the 12th in a direct line from King Henry VII., the co-heir of

the lordly houses of Holland, Cherleton, Tiptoft, and Sutton, and more than all, the co-heir of the famous Barony of Dudley, was an industrious butcher, within a few miles of the very castle where erst his ancestors held almost royal sway;

> "The blood and courage that renowned them
> Ran in his veins."

Mr. Smart retired from trade for upwards of twenty years before his death, which occurred in 1855; he left two sons, Joseph Smart, a tenant farmer, at Oatenfields, under F. D. Lea Smith, Esq., and Robert Smart, a butcher and grazier, both still resident at Halesowen.

II.

ELIZABETH OF YORK.

> "—— regina Hellisabect,
> Edvardi iiii quondam regis filia,
> Edvardi v regis nominati soror,
> Henrici vii olim regis conjunx
> Atque Henrici viii mater inclyta."
>
> EPITAPH.

THE Princess Elizabeth, surnamed of York, was the eldest daughter of Edward the Fourth, by his Queen, Elizabeth Widvile. Her birth took place at Westminster, on the 11th day of February, 1465; and soon afterwards she was christened in the Abbey there, with the pomp and circumstance suitable to the state of her, who would one day, to all appearance, become the Sovereign of England. It was probably owing to this prospect of succession, that the King, her father, bestowed so much

care upon her education; she was taught both French and Spanish, and it is recorded of her by the chroniclers, with much emphasis, that she could read and write her own language; their admiration upon this head leaving us to infer that these were no common accomplishments amongst the ladies of her period. These brilliant expectations, perhaps happily for Elizabeth, were not destined to be realized, for the turbulent nobles, who were with difficulty kept in order by the strong hand of man, already began to murmur at the prospect of a female ruler. After the lapse of some years, a son was born to Edward, and he was subsequently followed by a second.

While Elizabeth was yet a child, Edward more than once used the promise of her hand in marriage as a peace-offering to reconcile his enemies, or as a lure to confirm the wavering. In this way he won over the Nevilles, when he was their prisoner at Middleham, proposing that, as soon as she came of ripe years, she should marry George Neville, the eldest son of John, Earl of Northumberland, afterwards Marquess of Montagu. The young lover, in the prospect of this arrangement being one day carried out, was created, 5th January, 1469, Duke of Bedford; but his subsequent defection from the King broke off the design, and in the year 1477 he was degraded by Parliament from all his honours, on account of his not having any means for sustaining the Ducal dignity.

Again, when there was a treaty of marriage afoot between the Lancastrian Prince of Wales and Anne of Warwick, King Edward adopted the same convenient and ready line of policy, and endeavoured to defeat the

negociation by offering "my lady Princess" to Queen Margaret, for her son. The Lancastrian cause, however, triumphed for a time by force of arms, without the necessity of such an union. Edward, baffled and defeated, was compelled to ensure his personal safety by fleeing to the continent, where he found a refuge with the Duke of Burgundy; while his Queen, with Elizabeth and two younger children, sought and gained protection in the sanctuary at Westminster.

Scarcely have we grown familiar with the idea of a King of the House of Lancaster, than the various characters, as if in some mazy dance, once again shift their places; the first becomes last, those who were at the top are now precipitated to the bottom, until the head, in truth, becomes giddy by this incessant whirr and whirling of the wheel of fortune. The Lancastrians are in their turn defeated, the Yorkist King regains his sceptre, and, following out his old policy, offers Elizabeth's hand to the young Earl of Richmond. But the latter, who was then an exile, suspected, and probably with reason, that this offer was no more than a lure to get him into the King's power. He declined the dangerous honour.

In the June of 1475, Edward resolved to occupy the thoughts and hands of his turbulent nobles in the favourite warfare of that age, as the crusades were of a yet earlier period. He collected a numerous army for the invasion of France, to which country, either in whole or in part, the English monarchs never failed to lay claim whenever a momentary cessation from intestine dispute gave them leisure for so agreeable an amusement. Previous to his departure at Southampton, Edward made

his will, in which he thus alludes to the Princess Elizabeth:—

"Item, We will that owre doughter Elizabeth have XM marc, towards her marriage, and that owre doughter Marie have also to her marriage XM marc, soo that they may be goaverned and rieuled in their mariage by owre deirest wiff the Queen and by owre said son the Prince if God fortune him to comme to age of discrecion. And if he decease afore such age, as God defende, then by such as God disposeth to bee owre heir and by such lords and other as then shall bee of their counsaill; and if either of owre said doughters do marie thaims self without such advys and assent soo as they bee disparaged, as God forbede that then she soo marieng herself have noo paiemen of her said XM marc, but that it be emploied by owre executours towards the hasty paiment of owre debtes, &c."

Happily for the real interests of the people in either country, the threatened war was averted by Louis XI., the ablest and most unscrupulous statesman of his age. This wily French monarch (who singularly enough began and ended his reign in the same years as Edward IV.) played with Edward as with a child in Kingcraft. Adopting his favourite plan of conciliating and then biding his time, he made concessions to the unreasonable demands of the haughty English Sovereign, but with no intention, as the result proved, of keeping his word in any of them. Amongst these conditions, the Princess Elizabeth, as usual, came into play. It was stipulated that Prince Charles, the Dauphin (afterwards the gallant Charles VIII., the conqueror of Naples and hero of Fornovo), should marry her when

she arrived at the proper age; or, if she died before that period, that then he should give his hand to her sister Mary. From this time forward Elizabeth was always addressed in the palace as Madame la Dauphine; a certain portion of the tribute-money, paid by Louis the Eleventh to her father, being carried over to account for her use, as the daughter-in-law of the French monarch. Louis also bound himself to defray the expenses of her journey into France, when the time came for her nuptials; while for a set-off to these concessions, Edward surrendered to his son-in-law the titular right to the long-contested Dukedom of Guienne, or Aquitaine; these territories being reckoned a part of Elizabeth's dower. Louis and Edward shook hands through a grating in the centre of a temporary bridge over the Somme, at Picquigny, near Amiens, and swore on the Missal to observe their engagements. Louis, no doubt, smiled inwardly at the time at the success of his guile, and speedily found, after his wonted fashion, some flattering unction to lay to his soul for his breach of faith. He had promised and contracted largely, but he had, in truth, no intention of strengthening England's claims to the crown of France by such an union. Three years had scarcely elapsed when he showed how little he had been in earnest with this projected match, by his demanding the Princess Mary, heiress of Burgundy, for his son the Dauphin; and thus Elizabeth was once again bandied to and fro between acceptance and rejection, like a ball between the rackets. With the usual aptitude that the world has for attributing the deaths of kings to any but the natural causes, it was asserted by many at the time, and the tale has since been with easy faith repeated, that

Edward died from a paroxysm of rage occasioned by this unlooked-for insult. However this may be, his death occurred at Westminster, on the 9th of April, 1483. His cunning opponent, Louis XI., had also soon to answer to God for his misdeeds, as he survived the English King only somewhat more than four months, and died on the 30th of August of the same year. Nor was Mary of Burgundy ever married to the Dauphin. Edward's crown devolved to his eldest son, who, unfortunately for himself as well as the state, was then a minor. The long-cherished ambition of the Duke of Gloucester had thus a full field to display itself; and in the murders and embroilments that followed, the treachery of the French king, then dead, appears to have been forgotten. England, at war with herself, had no leisure for quarrels with her neighbours.

Elizabeth was now nearly eighteen years of age, when, with her second brother and two younger sisters, she was hurried into the sanctuary at Westminster by the fears of her mother, who had taken alarm at the way in which the Duke had treated her relations. How the brothers are supposed to have subsequently perished in the Tower is too familiar a tale to need repetition. Then, after a time, followed the defection of a powerful noble, Henry Stafford, Duke of Buckingham, and Constable of England, K.G.: he abandoned the cause of King Richard, which he had hitherto served with more zeal than conscience. By some this falling off was attributed to a desire on his part to obtain the crown for himself, as being descended from Thomas, Duke of Gloucester, the youngest son of Edward the Third. So preposterous a claim found no favour with any, not

even with his more immediate partizans; and, finding this to be the case—beyond his power to control it—he suddenly shifted his ground, and declared himself the friend of Henry, Earl of Richmond, whom his party proposed should espouse the young Princess Elizabeth. Her two brothers having been made away with in the Tower, she was the undoubted heiress of the throne, and such an union would, they imagined, for ever reconcile the conflicting claims of York and Lancaster.

Whatever might have been the faults or the crimes of King Richard with respect to others, he had been a benefactor to his too ready minion and agent, Buckingham, and had rewarded him upon no stinted scale. Well, therefore, might the monarch exclaim, upon learning his treachery, that "Buckingham was the most untrue creature living."

The proposal for Richmond's union with the Princess Elizabeth having been communicated to the Queen-mother in her sanctuary at Westminster, she at once acceded to it as readily as the country had done; and upon the twenty-fourth day of September, Buckingham sent to the Earl of Richmond, appointing the 10th of October for the general outbreak, and urging him, when the time came, to land at Plymouth with his followers. The King, however—or usurper, as they styled him—was fully aware of their projects, and the accidents of nature came in aid of his preparations to defeat them. When Buckingham unfurled the standard of revolt at Brecon, and was about to march forward for the purpose of effecting a junction with his Welsh adherents, the Severn, swelled by a heavy fall of rain, suddenly rose to an unusual height, and completely

barred his passage. Those who were with him, disheartened by this untoward event, and yet farther alarmed by Richard's proclamations, were seized with a sudden panic more than commensurate to their causes, either conjoined or singly; they broke and dispersed in all directions as if with one consent; and Buckingham, thus abandoned, attempted to fly, but was betrayed by one of his own servants, and conducted back to Salisbury, where the royal army was assembled, and where he was immediately beheaded. "So much for Buckingham." In the meanwhile, Richmond, true to his agreement, appeared off the coast with five thousand Breton soldiers. Upon the shore appeared a large army, either to oppose or join him; and doubting which of the two was their object, instead of landing, he returned to Brittany. Still the main plot of the conspirators, was not abandoned. "On Christmas-day following, the Earl of Richmond, accompanied by the Marquess of Dorset, went to the Cathedral of Vannes, where they solemnly pledged themselves to each other, and Richmond swore to marry Elizabeth of York immediately after he ascended the throne."

The King, *de facto*, if not *de jure*, met these conspirings with demonstrations of equal energy. He caused his principal enemies to be attainted of treason, confiscated their estates, and used every means, short of actual violence, to draw the Ex-Queen and her children from their asylum in the Abbey. There they had been, for many months, protected in a great degree by the influence of Dorset and the Bishop of Salisbury, Lionel Widville; but the protectors themselves were now in danger; they had been too deeply implicated in

Buckingham's plot, and, upon the failure of his revolt, found it prudent to consult their own safety by a speedy flight to France. The situation of the refugees in the sanctuary then became irksome, if not absolutely perilous. A cordon of soldiers, commanded by John Nesfield, a squire of King Richard's guard, kept watch about the Abbey, night and day, rendering flight impossible, and reducing the poor lady and her children to much distress.* While these coercive measures threatened them on one hand, the voice of the tempter was heard upon the other, proffering them ease and safety if they would leave the sanctuary, and the Princess would confirm by her own confession the Act of Parliament which bastardized her as the illegitimate child of Edward the Fourth. The document in which Richard makes these proffers—and there is little or no doubt of its being genuine—is very curious, and may still be seen.

Thus lured, on the one hand, by the voice of the charmer, and on the other impelled by an irresistible necessity, the refugees, after so many months of self-imposed imprisonment, were at length induced to abandon their asylum in March, 1484. Nor does Richard, in this instance at least, pursue the treacherous course which his chroniclers have been so fond of imputing to him on other occasions. The ex-Queen was placed under the care of Nesfield, the same officer that had kept watch and ward, who, while he treated her with decent civility, was not likely to let her escape or band with the King's enemies. Elizabeth of York and her younger sisters were hospitably entertained at court, where the former was treated by Queen Anne more like

* Agnes Strickland's Lives of the Queens.

a sister than a mere kinswoman. Richard, too, showed her no less attention; whereupon, slander, which could no longer accuse him of cruelty or faithlessness, now pretended to discover that he was actuated by too much affection, and wished to marry her himself; the promulgators of this report declaring that Richard sought the match, in order to prevent his rival from strengthening his hold upon the popular favour by an alliance with the Yorkist heir to the throne.

From the Christmas of 1484 until the death of Richard the Third, there are few historical records to light us through the darkness of a period that yet must have been fertile in stirring events. The most material account that we have of Elizabeth of York's connection with the revolt in favour of Richmond, is a metrical narrative, of little poetical merit, entitled "The most Pleasant Song of Lady Bessy," written by Humphrey Brereton, who, as he himself informs us, was an esquire in the retinue of Lord Stanley, afterwards Earl of Derby. According to this chronicler, the Lady Elizabeth warmly espoused the cause of Richmond, and was the first to urge Lord Stanley to adopt the same side in the dispute. After much entreaty, says "the pleasant song," Stanley yields, but at the last moment another difficulty arises, in that Lord Stanley feared to employ a scribe to write the letters by which he proposed summoning his partizans. "Lady Bessy" obviates this, by telling him that she has been taught to write like any scrivener; whereupon it is settled that he shall come to her chamber at night, attended only by his trusty squire, Humphrey Brereton, both of them "disguised in strange mannere."

The appointed hour comes, the "wicket" is opened to Stanley, at his signal, and after having rested awhile by a charcoal fire, and feasted sumptuously, "they ate the spice and drank the wine," she kneels down, and in that position writes to his dictation. To each of his friends, Stanley mentions some circumstance only known to themselves, as a proof that the letter really comes from him, and is not a snare to entrap the recipient.

Armed with these documents, Brereton sets out for the north, and returning shortly afterwards, finds Lord Stanley walking with King Richard in the Palace gardens—and the squire pretends he has been in the north for his diversion. He next, in a private interview, informs the Princess of his success, who hereupon agrees to meet the confederates when they arrive in London. The place appointed was an old inn in the suburbs, between Islington and Holborn, more particularly designated by an eagle's foot chalked on the door, and which seems to have been a sort of pass-signal among the Stanleys. Having convinced herself at this meeting that no injury would accrue to Richmond from the Yorkist prejudices of her associates, Elizabeth sent him a ring of betrothal, with a letter explaining the strength of the party in favour of an union between the houses of York and Lancaster. Brereton undertook to be the bearer of these missives, and embarked at Liverpool, which was an obscure port, and little frequented at a time when communication between distant parts and the capital was both difficult and dangerous.

Brereton finds the Earl at "Beggram's Abbey in Little Britain," about twenty-eight miles from Rennes,

and recognises him by the signs previously imparted by the porter.

Richmond took three weeks to consider the matter with his friends, when at last he dismissed Brereton with a "love letter to young Bessye," and soon after landed in England with all the force he could collect, having met with no interruption on his passage, the extreme poverty of Richard preventing him from keeping his fleet at sea. Upon the news of this invasion, the King sent Elizabeth, and her cousin, the Earl of Warwick, to the castle of Sheriff Hutton, in Yorkshire, according to one account, though this differs from Brereton's story of her having accompanied Lord Stanley to Leicester, where she saw the corpse of Richard.

If King Richard had been treacherous, he certainly was met with treachery greater than his own. Stanley carried on his double part even amid the alarums and death-struggle at Bosworth. Stanley's betrayal glared upon Richard at the last moment, whose shout of "Treason! treason!" arose, while, like a true Plantagenet, he fought the fight out, until numbers overpowered him, and he was slain. Stanley it was who picked up and presented to Richmond the crown-encircled helmet which the King parted with only with his life.

For some time after the battle of Bosworth Field, the conqueror showed no signs of any intention to fulfil his promise of marrying the Princess Elizabeth, greatly to the discontent of the Yorkists. Reluctant to acknowledge that he was in any way indebted for the throne to the proposed union, Henry resolved in the first place to obtain a recognition of his claims, weak as they were,

from the parliament. This was acceded to; but upon their granting him the tonnage and poundage for life, they added to it a prayer, through their Speaker, Sir Thomas Lovell, "that in consideration of the right to the realms of England and France being vested in his person, and the heirs of his body, by the authority of the said parliament, he would be pleased to espouse the Lady Elizabeth, daughter of King Edward the Fourth, which marriage they hoped God would bless with a progeny to the great satisfaction of the whole realm." The Lords, spiritual and temporal, rising from their seats, and bowing to the throne, expressed their concurrence in the request, and the King answered that he was willing to do as they desired. Accordingly, upon the eighteenth of the following January, his nuptials with Elizabeth were solemnized at Westminster, though it may well be doubted whether his heart was inclined to the marriage. Certain it is, that the necessary dispensation from the papal court was not applied for until the end of 1485, yet surely this measure would have been adopted much earlier, had Henry been from the first in earnest. Such a delay seems to intimate a reluctance on his part, which was only overcome by the general impatience for this union, an impatience that he felt it dangerous to resist any longer.

It was not until eighteen months after the marriage that Elizabeth was crowned with great pomp at Westminster, a delay which probably arose from the exceeding poverty of the royal exchequer. Little more remains to be told of her than that she was called "the Good"—that she was fond of music and of dress—was charitable and liberal—that Hampton Court was her favourite

place of residence—that she had a fair complexion, with locks of pale gold—and that her face was even more remarkable for its serene expression than it was for its beauty, though from her portraits she might be ranked amongst the most beautiful.

The "Good Queen" died, aged only thirty-seven, on her birth-day, the eleventh of February, 1503, shortly after having given birth to a daughter, and within a year after the death of her eldest and dearly beloved son, the amiable and promising Arthur, Prince of Wales. Her funeral (her husband calculated all expenses, and was liberal for once) cost £2,832 7*s.* 3*d.* By her, Henry had seven children, his second son succeeding him on the throne by the title of Henry the Eighth.

The body of Elizabeth rests by the side of her husband, King Henry, in the centre of his noble chapel at Westminster Abbey, under a monument designed by Torregiano.

Her eldest descendant—representative, in fact, of the House of Plantagenet—is Francis Ferdinand Geminien, Ex-duke of Modena, who is also representative of the Tudors and Stuarts, deriving this royal line from Henrietta, Duchess of Orleans, daughter and eventually sole heir of Charles I., of England, which monarch was great-great-great-grandson of Elizabeth of York. I have before remarked on the curious fact, that at the little court of Modena, before its own vicissitudes scattered its members, were comprised the heirs of the Royal Houses of England, France, and Spain. The Duke himself is the representative of the English dynasties. One of his sisters is married to the Count de Chambord (Duc de Bordeaux), heir of the Kings of France,

and senior representative of the Royal Scottish House of Baliol, and another to Don John of Spain, who, heir, in the male line, to the Spanish throne, has just resigned his claim to his son, Don Carlos, who is married to the Count de Chambord's niece, Marguerite, daughter of the late Charles III of Parma. Among British subjects, the senior representative of Elizabeth of York is RICHARD PLANTAGENET CAMPBELL, DUKE OF BUCKINGHAM AND CHANDOS.

III.

MARGARET OF CLARENCE, COUNTESS OF SALISBURY.

> "And may *the Prince*—I breathed a prayer—
> Have owned the Saviour's pardoning care—
> Who, deaf to warnings from the sky,
> Tinged the White Rose with Murder's dye."
>
> ADAM LODGE.

OF this lady, THE LAST OF THE PLANTAGENETS, the records are exceedingly meagre and imperfect. She was daughter of George Plantagenet, Duke of Clarence, who after having sided with all parties, and betrayed all parties—no unusual circumstance in those days—was attainted, as the partial chroniclers will have it, by a yet greater dissembler than himself, his brother Richard, the hunch-backed Duke of Gloucester (whose very hunch, however, is a matter of historic doubt), and put to death by immersion in a butt of malmsey. On the maternal side she was scarcely less nobly descended, her mother having been Isabel Nevill, the

eldest daughter of Richard, Earl of Salisbury and Warwick—"proud setter up and puller down of kings."

Margaret was born at Farley Castle, near Bath, in Somersetshire; but in what month or in what year would appear to be doubtful. That it could not have occurred long after the 18th of February, 1477, is certain, for it was at that date her father was put to death through the intrigues of his brother, Gloucester. There is the same difficulty in ascertaining the exact time of her marriage with Sir Richard Pole, and there is also lack of evidence with respect to the knight's family, which had not attained any higher title than that of knighthood. This Sir Richard left her a widow, with four sons and one daughter; and after his decease, in the fifth year of King Henry the Eighth, "she exhibited her petition in Parliament, as being sister, and heir of blood of Edward, late Earl of Salisbury and Warwick, and daughter of Isabel, daughter and heir to Richard, Earl of Salisbury, son and heir to Alice, daughter and heir to Thomas de Montacute, Earl of Salisbury." The result of this application was, that she was restored by the King in Parliament to the title of Countess of Salisbury, the honour she had coveted, and was in fairness entitled to. But she did not long retain this new dignity; the sun of royal favour, which at first had shone so brightly upon her, being speedily overclouded, and being succeeded by a storm that tore up her good fortune by the roots. Henry the Eighth, too fond of power to allow of any sharer in it, had just now destroyed the papal authority in his realm, although while he thus struck off the Church's head he was still anxious to keep alive its body, being a stanch upholder of the

Catholic belief, notwithstanding his enmity to the see of Rome. He chose to be his own Pope; and it behoved all his people to think as he did, on pain of incurring his anger, an anger which was never known to spare either man or woman. Few things could have given deeper offence to this headstrong and despotic monarch than the slightest attempt to maintain the papal supremacy in opposition to his own. Unfortunately for Margaret, she became suspected, not without grounds, perhaps, of this new treason, for the human mind does not often abandon its long-cherished opinions at the mere bidding of another, even when conversion is assisted by the stake and the faggot. It is, therefore, probably true enough that certain bulls from Rome were found at her mansion-house of Cowdray; and as true, no doubt, what was also charged upon her, that the parson of Wallingford had conveyed letters from her to her son Reginald Pole, the Cardinal, who was endeavouring to form a combination, consisting of the King of France, the Emperor Charles, and the King of Scotland to depose Henry. Another accusation was that she had forbidden all her tenants to possess any religious books depending for their authority on the licence of King Henry alone,—an offence which could not fail to wound his pride and vanity, and was, therefore, of all others the least likely to be forgiven by him. In this emergency Margaret was not wanting to herself, although age might have been expected to have impaired her powers of resistance, for she was more than seventy at the time. But of what use was denial where a despotic King was the accuser? The venerable lady was condemned without the ceremony of a trial, and attainted, together with

her grandson, a little boy of tender years, the only son of Lord Montacute. For nearly two years the aged Countess, the nearest in blood of all his relations to King Henry, dragged on a miserable existence in a dungeon of the Tower, whence, in 1541, she was brought to the scaffold, and being held down by force, for she refused to lay her head on the block, she was cruelly executed, exclaiming, "Blessed are they who suffer persecution for righteousness' sake." With her expired the royal and illustrious House of Plantagenet distinct race.

The story of the fate of her children is one of mournful pathos. The eldest son, Henry Pole, Lord Montacute,* being charged by his own brother Sir Geoffrey Pole, with a design to elevate his youngest brother, Reginald, the illustrious Cardinal Pole, to the throne, was convicted of high treason, and beheaded on Tower Hill, just two years before his mother. Sir Geoffrey was allowed a dishonoured life; but I cannot accurately trace aught about the infant heir, save that he died in youth. Cardinal Reginald Pole, Margaret's youngest son, was one of the most eminent men of his time. He presided (one of three Presidents) at the Council of Trent, and was made Archbishop of Canterbury on the accession of Queen Mary, whom he survived but twenty-four hours,

* Henry Pole, Lord Montacute, left two daughters, his co-heirs: Katherine, married to Francis Hastings, 2nd Earl of Huntingdon, and Winifred, married, first, to Sir Thomas Hastings, and 2ndly, to Sir Thomas Barrington, of Essex. Edith, Countess of Loudoun, is senior heiress-general of the Earls of Huntingdon, and eldest co-representative of Katherine Pole, grand-daughter of Margaret Countess of Salisbury. One of the descendants and co-heirs of Katherine's sister, Winifred Lady Barrington, is Mr. Selby-Lowndes, of Whaddon Hall, Bucks, now before the House of Lords as claimant of the Barony of Montacute.

dying 18 November, 1558. Of the beautiful Lady Mary Hastings, the grand-daughter of Lord Montacute, and great grand-daughter of Margaret Plantagenet, Countess of Salisbury, the following anecdote is told:—"John Vassilivich, Grand Duke and Emperor of Russia, having a desire to marry an English lady, was told of the Lady Mary Hastings, who being of the blood royal, he began to affect: whereupon, making his desires known to Queen Elizabeth, who did well approve thereof, he sent over Theodore Pissemskoie, a nobleman of great account, his ambassador, who, in the name of his master, offered great advantage to the Queen in the event of the marriage. The Queen hereupon caused the fair maiden to be attended with divers ladies and young noblemen, that so the Ambassador might have a sight of her, which was accomplished in York House Garden, near Charing Cross, London. There was the envoy brought into her presence, and casting down his countenance, fell prostrate before her, then rising with his face still towards her (the lady with the rest admiring at his strange salutation), he said, by his interpreter, 'it sufficed him to behold the angelic presence of her who, he hoped, would be his master's spouse and empress.'" The alliance did not, however, take place, and the lady died unmarried.

The Countess of Salisbury's only daughter, Ursula, married Henry Lord Stafford, and had several children. The daughter of the third son married a joiner, and had a son, a cobbler; and the son of the second son, Edward, third Lord Stafford, was "basely married to his mother's chambermaid,"* honest and handsome

* Sidney Papers.

Isabella Forster, of Tong, in Shropshire. In another part of this work, I have entered on the final fortunes, or rather misfortunes of the last of the Staffords.

Thus passed away the last of the Plantagenets—the royal and mighty Plantagenets. In reading this, the closing chapter of their story, one is reminded of the words of an eloquent divine:—"Everything human admits of change and vicissitude; states and empires, arts and sciences, customs and manners, laws and governments, feel without ceasing this inevitable principle acting upon them. God, from the throne of his immutability, sports with all the works and enterprises of man; and, willing to show us the little value we should set on things perishable, has decreed that there should be nothing permanent on the face of the earth but the very vicissitude that marks and agitates it."

MacCarthy.

> "How chang'd! Those oaks that tower'd so high,
> Dismember'd, stript, extended lie."

THE ruin of great families may very generally be traced to personal extravagance, gradual decay, electioneering contests, expensive ostentation, or the alienation of estates through heiresses; but in Ireland, the causes of decadence are manifold, in addition to those I have just alluded to. When it is remembered how perpetually that country has been the scene of civil strife, dynastic feuds, and wholesale confiscation, one can hardly believe than any of the old houses have survived, and continue, even unto this time, to be lords of some part of their original patrimony. Yet there are many such: the Geraldines, "Hibernis ipsis Hiberniores," who

> ". . . . . royally once reigned
> O'er Desmond broad and rich Kildare, and English arts disdained,"

still stand foremost in the Irish peerage, and have preserved, with national love and national accord, the first place among the Anglo-Norman races, ever since the day when Maurice Fitz-Gerald, the renowned companion in arms of Strongbow, set foot on Irish ground, at Wexford, in 1169. Of the other families established in Ire-

land at the same period, some few besides have succeeded in escaping destruction, and may be reckoned among the present nobles of the land; the principal of these are the De Burghs of Clanricarde, the FitzMaurices, the Butlers, the De Courcys, the St. Lawrences, the Talbots of Malahide, &c. Among the native Irish, there are few traceable descendants of the minor dynasts now in the enjoyment of their ancient possessions, but, of the five royal families which divided the island, all, excepting the O'Melaghlins, who disappear at a very early epoch, may, I am inclined to think, be carried down to some existing representative.

M'Murrough, King of Leinster has for male heir Kavanagh of Borris, co. Carlow, who possesses a splendid estate in the heart of Leinster. Of the O'Neills, one branch exists probably on the continent, and the present Lord O'Neill of Shane's Castle, is indisputably heir general of the Princes of Clanaboy. The O'Briens were Kings of Thomond or North Munster. The Earls of Thomond derived their earldom, and the Lords Inchiquin their barony, from the last monarch of their name, who resigned his crown to Henry VIII., and received those titles and a regrant of his estate as some compensation. In point of pedigree, Lord Inchiquin, the present male representative in Ireland of the O'Briens, stands pre-eminent: his direct ancestors were Kings at a period—the Norman Conquest—from which the proudest of the English nobility are content to date their origin. The O'Connors, last monarchs of Ireland, have still an heir male in Connaught, and the MacCarthy-Mores, Kings of Desmond or South Munster, and the MacCarthy-Reaghs, Princes

of Muskerry, are in all probability represented in the male line by Mr. MacCarthy of Carrignavar.

Of the minor dynasts the Ulster plantation has left few or none in that province. In that part of Leinster which formed the old territory of the Pale, the O'Byrnes of Wicklow protected by their mountains, were the last sept to preserve their independence. Lord de Tabley, by paternal descent a Byrne, has laid aside his ancient warrior name, and cannot be counted amongst Irishmen; but a flourishing branch of the family, retaining the old Celtic cognomen of O'Byrne, still reside on a very valuable portion of their old lands at Cabinteely House, on the borders of the counties of Wicklow and Dublin. The central district of Ireland, including the old kingdom of Meath, is better provided with true Milesian blood. O'More of Cloghan, chief of his name, was, until recently, seated in the centre of Leix; and the Right Hon. Richard More O'Ferrall of Balyna inherits a fine estate of the O'Mores in Kildare, and possesses, I am informed, a very curious MS. history of his O'More ancestors, their sufferings and vicissitudes. An English reader might take the surname of the late Earl of Upper Ossory to be Anglo-Norman, yet the extensive estates of that nobleman, now held by the Right Hon. John W. Fitzpatrick, were his as heir to the younger branch of the clan Mac Giolla Phadruig. The Foxes of Foxhall in Longford have in like manner Anglicised O'Sionach, to which clan their family and estates belonged. Cavan and its borders in Meath were, and are partly still, the share of the O'Reillys a Westmeath branch of which has taken the name of Nugent. In the province of Connaught, for-

feitures and Elizabethan or Cromwellian blood were less common than in other parts of the island; and with the exception of the noble house of Browne, the formerly ennobled Eyres, the Knoxes, and, perhaps (despite the Sarsfield connectionship) I should add the Binghams, all the great proprietors derive the whole or the greater part of their blood and estates from ancestors of Milesian or Anglo-Norman descent, but chiefly the latter. Of the undoubted Milesians, I find the O'Haras holding their ancient patrimony in Sligo, the O'Malleys owning lands so bravely preserved by their celebrated kinswoman, Grace O'Malley, in the rapacious days of Queen Elizabeth; and Mr. O'Flahertie, of Lemonfield, become a peaceful neighbour of that town of Galway, whose timid merchants used to suffer so much from the turbulent clan from which he springs, that over their western gate appeared the prayerful inscription:

"From the ferocious O'Flaherties, Good Lord, deliver us."

Sir Richard O'Donnell's branch of the house of Tyrconnell is said to have settled in Mayo on the marriage of its founder with the heiress; the same cause, a richly-dowered heiress, certainly brought the O'Dalys from Burreen to Galway, a damsel in whose honour the charming air of Aileen Aroon is supposed to have been composed, having given them the broad lands of Carrownekelly, now the valuable estate of their lineal descendant, Lord Dunsandle. The eastern portion of Connaught was anciently the principality of the O'Kellys; and members of that sept still retain a part of the lands which were held by that historical family.

In Munster, between the rapacity of the Desmond family at its first settlement, which devoured the substance of many of its Hibernian neighbours, and its immense power and influence just before its ruin, which induced most of the remaining ones to join and perish with it, the greater or princely families are not numerous. But many of the minor ones exist in affluence. The M'Namaras, or Sons of the Sea, are well represented by Lieut. Col. MacNamara of Doolen and Ennistymon, and by Mr. MacNamara of Ayle, in that, their original county. Mr. O'Loghlen, of Port, nephew to the late Sir Michael O'Loghlen, is the direct descendant of the chieftains of Burreen. The O'Gradys have divided: and whilst one branch, under the name of Brady, still retains a beautiful park, a fine estate in their old territory at Schariff on the banks of the Shannon, a fair southern heiress (these heiresses seem ever to have been favourites in Ireland) tempted the other, at the close of the thirteenth century, across that river to the county of Limerick, where it has formed several influential families. The O'Grady of Kilballyowen is chief of the name; and a younger branch was raised to the peerage in the person of the late Chief Baron Viscount Guillamore. The O'Quins also left Clare for Limerick, but at a more recent date. The Manor of Adare—"palace-filled Adare"—with its old castles and grand monastic ruins, is now the princely residence of the representative of the O'Quins of Munster, the Earl of Dunraven, K.P. The chief branch of the O'Sullivans of Kerry is probably extinct; but some of the minor ones are extant; and the wild mountains that give him his title remain the property of one of their chiefs, MacGilly-

cuddy of the Reeks. We find the O'Donoghues of the Glyns still in the same neighbourhood. Mr. Ryan, of Inch, is probably the chief, certainly a descendant, of the ancient sept of his name; and the district of which his estates form part was the ancient "O'Ryan's country." But that county was too fertile, and too near the other possessions of the great rival houses of Ormonde and Desmond not to have been early appropriated by the Anglo-Norman conquerors, to whose descendants much of it and of its neighbouring counties of Kilkenny and Waterford still belongs.

The MacCarthys, to whom I have already alluded, were a right regal house: and, on the arrival of the English invaders in the twelfth century, were styled the Kings of Desmond and Cork. No family claims a higher ancestry than this. The curious in long genealogies will find in Keating's "History of Ireland" the whole pedigree, derived, through Heber, the fair son of Milesius, the Spanish hero, from the patriarch Noah himself! In all those civil contests and warlike encounters which shed so melancholy a hue over the annals of their ever-distracted country, the MacCarthys bore a prominent part. From Cormac More, who lived in the beginning of the twelfth century, sprang two sons: Daniel, the elder, succeeded his father as "the MacCarthy-More," and Diarmid, the younger, founded the powerful house of Muskerry. The descendant of Daniel was created Earl of Clancare by Queen Elizabeth, in 1565, but, as he died without legitimate male issue, his honours died with him.

The descendants of Diarmid MacCarthy had a longer existence as magnates of the land. They held Blarney

and a large portion of the county of Cork. The fourth Lord, Cormac, was a soldier of distinction, as well as a munificent patron of the church, of art, and of learning. The Castle of Blarney was erected by him, and also the splendid Abbey of Kilcrea. His successor, Cormac, had a fearful feud with James, Earl of Desmond, whom he defeated with much slaughter near Mourne Abbey, in 1521. The eighth Lord, Cormac MacCarthy, according to Sir Henry Sidney, "the rarest man that was ever born among the Irishry," was appointed Sheriff of the county of Cork, after he had defeated Sir James FitzGerald, brother of the Earl of Desmond. The power of the MacCarthys at this period may be conjectured from the fact that a force of three thousand fighting men were always at the call of the chieftain. This Cormac, the eighth Lord, was politic enough to keep in favour with the English. To him James the First granted for ever the lordship, town, and lands of Blarney. Donogh, the tenth lord, took an early and decided part in the dreadful civil war which broke out in 1641. He was appointed one of the leaders of the confederated Catholics, and Lord Castlehaven reports that he used all his influence to bring the nation back to their obedience to the king and laws. In 1642 he appeared in Carbery at the head of a large force, led by his own feudatories, MacCarthy Reagh, O'Donovan, O'Sullivan, &c. He was opposed by Inchiquin, the chief of the O'Briens of Thomond, who defeated him. Soon afterwards, however, the king made him president of Munster. Eventually, he was created Earl of Clancarty, and a bill was passed which restored a large portion of his forfeited estates. Donogh, the third Earl, joined

James II. on his landing at Kinsale, and with the fortunes of James fell those of Clancarty. His property, which, on a loose calculation made in the middle of the last century, was supposed to be worth £150,000 per annum, was confiscated, and he was taken prisoner on the surrender of Cork, and driven into exile. The fourth Earl, Robert, indignant at the treatment his family had received, deserted the king's service as captain of the ship Adventure, and joining the Stuarts, never after returned to England. The French king granted him a pension of £1,000 a-year, and he lived and died at his château near Boulogne, leaving two sons, at whose death, without issue, the family in the direct line expired.

So ended the chief line of this distinguished but turbulent race; like many others of their compeers, they sowed to the storm, and reaped the whirlwind. One eminent and recognised offshoot, MacCarthy of Carrignavar, continued to flourish long after the parent stem had withered away; but the ruthless spoliation of the Encumbered Estates' Court has doomed even this last scion almost to destruction, and within the last few years condemned to sale the greater part of the small remaining remnant of the vast territorial possessions of the Lords of Muskerry. Male heirs still, however, exist, and the castle of Carrignavar is preserved; but though thus, in a great measure, severed from their ancient patrimony, they will not soon be forgotten in the land of their ancestors. The veneration of the Irish peasantry for "the rale ould gentry" will long cling to the cherished name of MacCarthy.

To this brief reference to the senior line of the MacCarthy's, I will append some details of a younger branch of the same illustrious stock :—

THE MACCARTHYS OF DUNMANWAY.

"Their Halls and Castles, once so fair,
Now moulder in decay;
Proud strangers now usurp their lands,
And bear their wealth away.

"Those towers, alas! now stand forlorn,
With noisome weeds o'erspread;
Where feasted lords and courtly dames,
And where the poor were fed."

BISHOP PERCY.

FROM its source in Knocknanavon (Cnoc na habun—*Hill of the Rivers*), on the confines of Glanachrime and the O'Donovan's country, till it reaches the sea at Kinsale, "the pleasant Bandon, crowned with many a wood," flows for a space of thirty miles through a country strewn with the ruins of ancient castles. This portion of Carbery was for many centuries the stronghold of the MacCarthys Reagh; the pleasant Bandon was essentially their river, for its entire course, though ranging with many an ample curve through an extensive district, lay wholly within their territory. Of twenty-six castles built by this sept, in the county of Cork alone, the greater number guarded the windings of this stream.

The earliest instance of a voluntary alienation of any considerable portion of the patrimony of the MacCarthys of Desmond, for the purpose of establishing an indepen-

dent chieftainship, was that by which Donell Mor na Curra settled upon Donell God MacCarthy (Daniel the Stammerer), his second son, fifty-seven ploughlands in the pleasant valley of Glanachrime, and thus founded the House of MacCarthy of Dunmanway. Subsequent alienations gave rise to the more historical and far more powerful families of MacCarthy Reagh, and MacCarthy of Muskerry; but Donell God MacCarthy was the first cadet of the Princes of South Munster who received a patrimony independent of the head of his race. For ten generations the descendants of Donell flourished in the heart of Carbery; they saw other off-shoots from their parent stem established on their borders, more ambitious, more turbulent, and better acquainted with the social changes of their country than they were, but they continued to hold their own, yielding but slight acknowledgment of superiority to the head of their race, none, till near upon the period of their extinction, to their powerful cousins, whose country encircled them, but electing, as others did, by usage of Tanistry, their own chieftains. The author of *Carbriæ Notitia* informs us that they were "one of the best branches of the Carthys, and always reckoned the best scológes or housekeepers in Carbery." Indeed, they early acquired the designation of Na Feile, or the Hospitable, which distinguished them from the many families of their name which had multiplied around them. In such tranquillity as the martial spirit and troubled politics of their time permitted, or with but such warlike diversions as added relish to the festivities for which they were famous, the chieftains of Glanachrime continued to flourish from the twelfth to the seventeenth century.

They had never broken beyond the boundaries fixed for them by the generous gift of Donell Mor na Curra, nor had their patrimony suffered diminution by the encroachment of other branches of the sept.

This Elysian valley in East Carbery continued the undisputed possession of the descendants of Donell God MacCarthy until Elizabeth ascended the throne of England. That Royal Lady, regardless of the happiness which her royal policy might disturb, early set her heart upon the effective subjugation of Ireland, and the extinction of the princely rights claimed by its chiefs. Through forty years she persevered through every difficulty, draining her exchequer, prodigal of the lives of her English subjects, and assuming increased determination as her ablest ministers despaired, till the last year of her life, when the governors of Ireland ventured to assure her that that troublesome country was at last fairly subjected—for the present! Through this long period of national struggle the Lords of Glanachrime still held their territory. The fiery torrent of the great Desmond rebellion passed over them, the wild warriors of O'Neill encircled them with slaughtered foes and a blazing country. Essex led into Carbery the choicest English force that had been seen in Ireland since the days of Richard the Second, but they lost not an acre of the patrimony of their ancestors. They saw the main line of their race extinguished in the person of the Earl of Clancare, and Florence, the most enlightened of the MacCarthys that had existed for 400 years, sent away prisoner to the Tower of London; but confiscation, which had absorbed such large portions of the inheritance of their sept, had hitherto spared them. A

family that had steered its fortunes so ably, or so luckily, for centuries might seem to possess a charm against the ordinary ill chances of life, to be safe from the vicissitudes which were falling thickly around them; and so perchance might it have been, had not a hideous crime and an ignominious punishment stained the honour of this noble chieftainship, and prepared the way for their rapid dilapidation.

About the year 1580 expired Finin (Florence) MacCarthy, the seventh in descent from Donell God Mac Carthy. Succession amongst Irish chiefs was decided not by English law, but by usage of tanistry. Finin had left sons; and had English law prevailed, the eldest of these, Cormac Don, would have stepped into the post left vacant by his father. Tanistry passed over the sons of the deceased chief, and called to the succession "the eldest cousin of the blood," preferring in all cases the brother to the son of the last ruler. Hence, as soon as the remains of Finin were deposited in the churchyard of Kilbarry, "the rod of command" was handed without hesitation to Cormac, his brother, and Cormac Don, the eldest son of the late chieftain, was compelled to stand aside, whilst the white wand was handed to his uncle.

On this occasion the festivities of Dunmanway were worthy of the hospitality of the race, but the rejoicing at last ended, and the various chieftains retired to their own homes. Suddenly there passed a startling rumour far beyond the boundaries of Carbery. It carried with it sorrow and shame to the hearths of every castle in Munster. Blood had been shed in those joyous halls of Dunmanway. The chieftain whose election had been

so recently celebrated was no more. He had been most foully murdered! The sensation produced amongst the kinsmen of the murdered lord of Glanachrime could not fail to be of indignation and bitter grief and shame. A very different feeling was produced by the intelligence in the court of the President of Munster. The horror of the septs, the peculiar impression of the English authorities, was increased tenfold, when the name of the murderer reached them. Cormac Don hurriedly claimed the succession. There is no record that he was elected by his kinsmen, nor indeed is it likely that he was or would be. A party of English soldiers, despatched by Sir William Drury, President of Munster, carried off the claimant to Cork, under the charge of having murdered his uncle. No man could pity him, for his guilt was proved: no man could resent his punishment, ignominious as it was, for it was by the verdict of twelve men that he was sentenced and hung in chains. Then followed a truly singular contest for the lands of the murdered man; but I cannot dwell longer on these Dunmanway MacCarthys, though their story is full of interest, and I must hasten to their decadence.

After the middle of the seventeenth century, the descendants of MacCarthy of Dunmanway pass away from public notice. The extensive Lordship of Glanachrime was broken up, and parcelled out amongst various English families, but the chief portion of it fell to Sir Richard Cox. Smith, in his History of Cork, pictures in glowing tints the prosperity that settled upon Dunmanway when the ancient race was swept away, and their castle thrown down for the materials where-

with to build churches, schools, workshops, and pleasant villas. Though land and lordships had for ever left them, this branch of the MacCarthys was not extinct, nor is it at this day. Four generations existed, I know not how; the fifth emerged for a moment from its obscurity. Jeremiah an Duna, the great-grandson of the last lord who lived in the Castle of Dunmanway, was during his lifetime well-known in the south of Ireland. Since his demise some few particulars of his latter days acquired a more extended notoriety, for they fell under the notice of the late Dr. O'Donovan, who, in the sixth volume of his Annals of the Four Masters, published his pedigree, and with it an extract of a letter from Timothy O'Donovan, Esq., of O'Donovan's Cove, respecting him. This extract is too interesting to be omitted:—"His appearance," writes Mr. O'Donovan, "was most respectable, and he had the manners and information of a gentleman; all classes about Dunmanway had a respect for him to the last, and all admitted his descent from Teige-an-Duna [MacCarthy, nominal Lord of Glanachrime]. He was married to a Miss Callanan of Kinsale, a very respectable lady, who ran off with him, and he spent what fortune she brought him with his Irish recklessness. He made a request to me to have him interred in the family tomb at Kilbarry (one mile west of the town of Dunmanway], which, of course, I complied with, and he was buried with his ancestors, and with all due respect." To the information contained in this brief remembrance of the poor man, little can be added that is more than conjectural. There is a touching anecdote told by Mr. Crofton Croker, in his "Researches in the South of Ireland," p. 305, of an

Irish chieftain visiting the ruined home of his ancestors when on the even of quitting his native country for ever. Until the publication of Mr. O'Donovan's letter it would have been hopeless to guess at the name of the subject of this incident. It was then readily conjectured that the anecdote of Mr. Croker was not an absolute creation of his fancy, but that Jerry-an-Duna had really been surprised in one of his wanderings around the ruins of Dunmanway; still it was well known that he never did quit his native land, and thus it might seem that fiction had contributed a little of its colouring to the picture of Mr. Croker. A passage in the Dunmanway pedigree, though couched in language somewhat mysterious, removes the suspicion; for it implies that he had at one time the intention of quitting Ireland, either to seek his fortune in military service on the Continent, as so many gentlemen of his blood had already done, or following the poorest of his race into the wilds of the west.

Mr. O'Donovan's letter is evidence that the last days of Jerry-an-Duna were spent not without dignity; for though he had lived for many years, and finally closed his eyes, under a roof not his own, so generous was the hospitality, so delicate the comportment of Mr. O'Donovan to his friend, that the old man could have scarcely discovered the truth of the forlorn condition that was so gracefully disguised. This descendant of the chiefs proverbially styled the Hospitable might accept without a blush hospitality in his hour of misfortune from any gentleman in South Munster: by none could it be proffered with more propriety than by an O'Donovan, for their families had sprung from a

common ancestor, had been in alliance for centuries, and had again and again renewed the connexion of their blood by intermarriages. Assuredly by none could have been penned a more touching and dignified record of the friendship of these two gentlemen than by the survivor, who has given us the brief memoir of the last years of the life of Jerry-an-Duna. The only relic the old man retained was the record of his genealogy; everything else that could have purchased a crust of bread had been parted with. He did not die childless; he left a son, Charles MacCarthy Duna; and far more humiliating in a certain sense, though less dependent, was the lot destined for him! In utmost poverty! in toil and sweat, and menial labour as a common house-painter for his daily bread! this descendant of so many chieftains has lived to our own day, one of the most remarkable instances of the reverses that have occurred among our Irish families. He was still living, in the eightieth year of his age in 1861. He had two sons—1, Teige-an-Duna, who followed his father's trade in London till 1854, when he emigrated to America; 2, Charles, also a house-painter, who died in a lunatic asylum at Cork, a few years since, without issue.

The Old Countess of Desmond.

> "What is the worst of woes that wait on age?
> What stamps the wrinkle deeper on the brow?
> To view each loved one blotted from Life's page
> And be alone on earth."
>
> CHILDE HAROLD.

"*Ultimus suorum moriatur!*"—"May he die the last of all his kin!"—was the Roman's bitterest wish for his enemy. When for the first time, the malediction comes to our ear, we perhaps little take in the fulness of its direful scope. We cling to existence naturally, and are loth that the links binding us to life, with all its familiar scenes and associations, should be snapped asunder. We forget the mercy that takes man away from a world where, if he tarry long, he becomes a stranger among strangers. She, whose fortunes I am about to trace, understood the imprecation fully. Her mournful lot was to realize, indeed, "the worst of woes that wait on age," the being "alone on earth." Not only her own generation and that which followed it, but the next, and the next to this again, arose, played their part in life, and disappeared; yet she lived on. A wife for half-a-century, she became a widow at threescore-and-ten; but, even at this latter period, only half of her pilgrimage was accomplished. The princely race from whom she sprang passed, before her eyes, through

strange vicissitudes. For more than a century she beheld them, in almost regal magnificence and power, swaying the councils of their sovereigns and acting as their representatives at home and abroad; and she lived to see the chief of her house an outcast and wanderer, with a price on his head, finally hunted down like a wild beast, and his seigniories gone for ever.

THE LADY KATHERINE, popularly known as the Old Countess of Desmond, was a Geraldine both on her father's and mother's side. She was the eldest daughter of Sir John FitzGerald, Lord of Decies, and of Ellen, his wife, daughter of the White Knight. Her paternal grandfather was Gerald, second son of James, the seventh Earl of Desmond. He had received for his portion the great district called the Decies, in the county of Waterford, and at Dromana, on the lovely Blackwater, he had erected his feudal castle. No site more suitable or romantic could possibly have been discovered than that chosen by Sir Gerald FitzGerald. He erected his fortressed home on the highest point of a perpendicular cliff overhanging the river. From this eyrie he looked out on a panorama of luxuriant forest scenery, with the blue range of lofty mountains stretching away in the far distance; while the river, as it flowed darkly beneath, at times narrowed and at other times expanded itself into seeming lakes. In the Castle of Dromana* the Lady Katherine FitzGerald was born,

* The remains of the castle are incorporated with the mansion-house of Lord Stuart de Decies, which bears the same name. Lord Stuart de Decies possesses, among his paintings, a portrait, said to be an original, of the Old Countess of Desmond. To this picture I shall allude hereafter.

in the third year of Edward IV., 1464. Her childhood and girlhood were passed, no doubt, in a condition suited to her rank, but of them we have no particular mention. We find her, in 1483, while yet in her teens, married to her kinsman, Thomas, third son of Thomas, eighth Earl of Desmond, and brother of James, the ninth Earl. The wedding took place in London, and was graced by the presence of the Court. The bride danced with Richard, Duke of Gloucester, afterwards Richard III.; and she always described him as straight and well-formed, instead of having the mis-shapen body which historians give him. Not long had the Lady Katherine entered this branch of the family when a dark shadow, as of presaging ills yet to come, fell upon them. Her husband's brother, James, the ninth Earl of Desmond, was basely murdered, 7th December, 1487, by his servant, Shaun (John) Murtagh, at the instigation of another brother, John. The "taint of blood" was henceforth on the race, and never passed away. But into the Geraldine family history—full to overflowing, as it is, with striking incident—it would be impossible for me to enter here. Suffice it, that to the murdered Earl succeeded his brother Maurice, who enjoyed the honours for three-and-thirty years. Earl Maurice died at Tralee in 1520, and was succeeded by his only son, James. The last-named personage held the title but for nine years. He died, leaving no male issue; and the honours, in consequence, devolved on the husband of the Lady Katherine, who became, 18th June, 1529, the twelfth Earl of Desmond.

Many years had come and gone since her bridal morning, when the Lady Katherine was graced with the high

distinction of Countess of Desmond. Her wedded life had been a happy one; for chroniclers speak kindly and well of her husband. But a life purely domestic was little marked with events of importance. One child, a daughter, had blessed her union; and a stepson, Maurice, was spared to his father. The Earl and Countess of Desmond took up their residence in the old historical town of Youghal, in the county of Cork. Of Youghal their ancestors had been *suzerains*, from the very period of the Anglo-Norman invasion. Its religious houses and feudal defences were of their creation; and in the central part of the town, adjoining Trinity Castle, they had erected for themselves a palatial mansion. Here, then, the Earl and Countess now fix themselves, in the eastern portion of their vast possessions in Munster. Both are waxing into age. The nobleman is in his seventy-sixth year, and has acquired the sobriquet of *Maol*, or the Bald. His Countess is ten years his junior; but, we may rest assured, shows little traces of Time's advances. A chequered thing always is human life! Within six months after the Earldom fell to him, Maurice, the Earl's only son, dies of the plague at Rathkeale, in the county of Limerick. His remains are brought to Youghal, where they are interred in the Franciscan friary. By Joan, daughter of John Fitz-Gerald, the White Knight, he leaves an only child, James, of whom presently. I find the aged Earl addressing a letter to King Henry VIII., 5 May, 1532,* in which he accepts the royal confirmation of his rank and inheritance, professes allegiance, and excuses himself

* State Papers, Henry VIII., Part III, Vol. III, pages 160, 161.

for not then sending his grandson to the Court. Of this epistle, I give the commencement and conclusion:

"Mooste highe and mighty Prince, and my mooste reduptithe Sovereigne lyghe Lord, I in my mooste humble wise recommaunde my unto youre mooste noble and haboundance Grace. * * * *

"Written at Youghall the 5 day of May, the 24th yere of your noble raigne.

"To the Kynge's Grace.

"THOMAS, ERLL OF DESMOND."

In another document, preserved in the State Paper Office, mention is made of the Earl, and proof afforded of his sincere attachment to the English crown. In 1534, the misled young Geraldine, Silken Thomas, openly in the castle of Dublin, where he sat as his monarch's deputy, renounced allegiance and declared himself the king's enemy. Dr. Thomas Alen, warden of the College of Youghal, was at the time in London; and a letter addressed to him on the 17th of May of this year from Youghal, by his brothers who were there resident, is yet extant. They write by command of the Earl of Desmond, who (they remark) "marvels greatly at your long tarrying." Having noticed Silken Thomas's insurrection, and the special enmity he has exhibited to the warden of Youghal (as he vowed that, wherever he met with him, he would slay him with his own hands), they "counsel" him to "instruct the King," and to "cause his Grace to write a letter to my Lord of Desmond in all haste to take the said traitor." But, loyal as the Earl thus proved himself, even in regard to one of his own kin, no opportunity was afforded him of

demonstrating his fidelity. Very soon after the letter was despatched, he breathed his last in his castle at Youghal, and was buried with his fathers, under a stately tomb in the Franciscan friary, at the southern end of the town.

The Lady Katherine, thus widowed, is now in her seventieth year. Her jointure is to be the manor of Inchiquin, about five miles distant from Youghal, skirted by the sea on its eastern side. Through the estate a pretty river, the Finisk (*Fionn-uisge*, in Irish, the fair water), takes its pleasant way; and on the river's marge, about four miles up from the ocean, is a strong castle, where the Countess is to reside.* And here, with her only daughter, she lives, while terrible things both in her family and in her country are being enacted. The decease of her husband is the signal for deadly feuds among her kindred. James FitzMaurice, her stepson, is the rightful heir to the family honours. He comes from England, where he has been page to the King, to assume them; and he is murdered, 19th March, 1540-41, by his first cousin, Maurice FitzJohn. Frightful scenes follow, paving the way for the Geraldine ruin, now fast approaching. James, the fourteenth Earl of Desmond, dies at Askeaton, the 14th October, 1558, and is succeeded by his son, Garrett, in whom the power of the proud race of Desmond is to be extinguished. In 1575

* A great portion of the Inchiquin Castle yet remains. It was circular, and must have been of prodigious strength; for the existing walls are no less than twelve feet in thickness. The portion now standing is about thirty-five feet high, and thirty feet in diameter inside the walls.

this Earl induces his aged kinswoman to assign to him her castle. I subjoin the deed, which will be new to my readers :*

"Where I, ladye Kathrin, late wief to Thomas, late Earle of Desmond deceased, have and doe enjoye amongst other parcells as my third parte and dower of my saide late husbonde, landes by lawfull assigm^t^, the Castell and Town of Inchequyne, with six plowlandes, arrable lande, called the six fie plowlands in Inchequyne, together with More's meadows, pastures, groves, woods, milles and milplaces, with there watercourses, rivers, streames, with there weares and fishinges, parcell of the said towne and belonging to the same. Be it knowen unto all men by these presentes, that for good consideracions me movinge, I have geven, graunted, and surrendered the said Castell and Towne of Inchequine with the said six plowelandes together with all and singuler the premisses with there appurtenances, together with all my intereste and estate therein vnto the right honorable Gerrot, Earle of Desmond, now Inioyenge, the reversion of the premisses, To have, holde, and Inioye the same vnto the said Earle, his heires and assignes, as his proper inheritance, notwithstanding any dower, iointer, or any other estate I have or oughte to have in the premisses or in any parte or parcelle of them.

"In Witness where of I have herevnto put my seale the fift of Auguste a thousand five hundred seventye and

* This deed is preserved in the Exchequer, Dublin. It was enrolled in the Michaelmas Term, 1587, at the request of John Synnotte, of Wexford, Gent., and is to be found in the Rot. Mem., 29 Eliz. Mem. 21. It is now published for the first time.

five, and in the sevntenthe yeare of the Reigne of our Sovereigne ladye Queene Elizabeth.

"Beinge presente at the ensealinge and deliverie hereof by the lady Katherine within named, KATHRIN DESMOND. (L.S.)

Witness hereof,

I. DESMONDE.
THOMAS FFAUNYNGE, Thesaurer.
MORISHE SHEGHAN.
DAVID ROCHE, Witness.
ELLENE SHEA."

Then follows a feoffment from Gerald (Gerrot), Earl of Desmond, to Maurice Shoghan, his servant; and David Roche, gentleman, of the castle and town of Inchiquin, bearing date 7th August, 1575, 17 Elizabeth, to the use of John Synot, of Wexford, for thirty-one years; then to the use of the Earl himself and the lady Eleanor, his wife, and their heirs male, with remainder to the heirs male of James, late Earl of Desmond, father of Gerrot, the now Earl, and after them to the right heirs of said Gerrot.

Witnesses: Morishe Sheaghan, David Roche, and five others.

John FitzGerald, of Camphire, gave livery and seizin, by delivering of "a peece of earthe in the house of Inchequyne" to David Roche, in the presence of John FitzGerrate, Morishe M'Gibbon, and several others.

What were the Earl of Desmond's motives in disseising the old Countess we are left to conjecture. Cupidity, when we think of his vast possessions, could not have influenced him. It is probable that, medita-

ting at the time an insurrection, he deemed it expedient to hold in his own hands, or in the hands of his servants, every strong castle of his district. And it was this very circumstance that restored to the old Countess her castle and manor; for, after the Geraldine's wild attempt at revolt, and the attainder that followed, all conveyances of a subsequent date to one, proving his rebellious intentions, were declared by the English government to be null and void. Under this head came the assignment of Inchiquin, which now returned to the Lady Katherine. She was resident here when, 3rd February, 1585–6, a warrant of Privy Seal granted Sir Walter Raleigh three seigniories and a half of the forfeited estates of the Earl of Desmond. These comprised 42,000 acres of land, extending from Lismore to the sea at Youghal, and containing (with many others) the manor and castle of Inchiquin. Raleigh visited the old Countess and formed her personal acquaintance, as he tells us in that surprising monument of his erudition, the "Historie of the World:"*

"I myself knew the old Countess of Desmond, of Inchiquin, in Munster, who lived in the year 1589, and many years since, who was married in Edward the Fourth's time, and held her joynture from all the Earls of Desmond since then; and that this is true all the noblemen and gentlemen of Munster can witness."

Raleigh had special reasons for remembering the aged Countess. There were charges for her life on the lands of Inchiquin, and reservations to be made consequently in the different leases he granted. I have had access to some of these original demises, and am enabled to point

* Book i, chapter v, section 5.

out this fact, hitherto unnoticed. Let me take, for instance, the fine old parchment, signed and sealed with Raleigh's own hand, that lies on my table. It bears an endorsement:

"21 *July*, 1588. *Colyclogfynnaye leased for a* 100 *years, commencing the* 30*th yeare Eliza. reigne.*"

The Indenture is made between "the honorable Sr Walter Ralegh, knight, lord warden of her ma^ties^ Stannaries in ye Counties of Devon and Cornwall, and one of ye principall undertakers with her ma^tie^ for ye repeoplinge and inhabitinge ye attainted and excheated lands in ye Counties of Cork and Waterfourd in ye Province of Munster of thone ptie. And John Clever, of London, gentleman, of thother ptie." It conveys to the lessee, for a hundred years, "all that ploughland comonly called or knowen by the name of Coullie Clofinna, sett and beinge within the Barroney of Inchequyn in ye Countie of Corke;" and, when it sets forth the rental, makes allusion to the old Countess of Desmond.

"*Yeldinge and payinge* therefore yearely during three of ye said yeares (viz.) from thend of the yeare of our Lord God wch shalbe One thousand ffive hundered ffoure score and nyne, and from and after the Decease of the Ladie Cattelyn, old Countesse Dowager of Desmond, widdowe, vntill thend of the year of our lord God wch shalbe 1593, vnto the said Sir Walter Ralegh, his heires or Assignes, ffive pounds of good and lawfull money of England at two feasts or tearmes of the yeare. . . . . *And also* yeldinge and paying therefore yearely vnto the said Walter Ralegh his heires or Assignes duringe the residue of ye said tearme, begynnynge from and after y^e^

decease of ye said Countesse, and after thend of the said year of o^r^ lord God which shalbe 1593 the yearely rent of Tenne pounds of lawfull money of England at the said two feasts of thAnnunciation of o^r^ Ladie St. Mary the Virgine and St. Michael Tharchanngell wch of them shall first happen after the death of the said Countesse, &c."

Raleigh here calls her "the Ladie Cattelyn," the name, doubtless, by which she was familiarly known among her Irish followers, in whose expressive vernacular "*Kauthleen*" was the right rendering of "Katherine." A MS. state paper of the year subsequent to the lease enumerates among the forfeitures of the attainted Earl of Desmond:

"The castle and manor of Inchiquin, now in the hands of Dame Katherine FitzJohn, late wyfe to Thomas, some tyme Earl of Desmond, for terme of lyef as for hir dower."

In 1591, I find Sir Walter Raleigh, in a statement to the Queen concerning the plantation (or, as it would now be called, the colonization) of his Irish estates, describing that all in the neighbourhood of Youghal had been let out to English settlers, with a solitary exception:—

"There remaynes unto me but an old castle and demayne, which are yet in occupation of the old Countess of Desmond for her jointure."

Fynes Moryson, in his curious "Itinerary," has a special notice of the Old Countess. His Tour in Ireland commenced at Youghal, where he landed 9th Sept., 1613. In the place where she had so long resided, and in the immediate vicinage of which was her castle of Inchiquin,

he had ample means of acquiring information about her. He describes her as—

"being able to go on foote four or five miles to the market towne [Youghal], and using weekly so to doe in her last yeeres."

Now, up to our own time, the country people around Youghal made this weekly journey to their market town. Those from Inchiquin and the adjoining sea coast take their route (as often as the tide permits) by the splendid Strand, which, firm enough to bear carts and cattle as well as pedestrians on its smooth sands, extends itself unbroken for five miles. Each Saturday, either a long cavalcade or numerous detached groups may be seen at sunrise proceeding to the town, and in the evening returning to their homes, by the sands. Imagination may paint for us the venerable Countess wending her way after this manner. We may be sure that she is not alone. Some faithful hearts accompany her; for the Irish clansmen, true as steel, are duteous in their homage to their Lady. But why "on foote?" Wherefore travels thus the Countess of Desmond? Alas! poverty compels her. Her lands have been seized by the English settlers. Her jointure is paid no longer. Her remonstrances are set at nought; and if she mention "redress" idle mocking ensues. But, aged as she is, she possesses all the spirit of her race, and redress she will seek, even from royalty itself. It is now the summer of 1604, and the Countess has *doubled* the ordinary longevity of man, being in her 140th year, when she determines to cross the Channel, and present herself a suppliant before James I. Coasting vessels, then as now, carried on a brisk trade between Youghal

and the south-western ports of England. In one of these she solicits a passage, nor is it refused. The little bark clears the harbour, and spreads its canvas to a favouring breeze. Gradually the Irish coast sinks and fades from sight, and, as night falls, the voyagers are in mid-ocean. Day breaks, and shows nothing but sky around them, on the right hand and left; but, ere darkness comes again, a dim, shadowy outline of land is visible in the east, and the pale moon lights up, to their joy, the shores of England. They are bound for Bristol. The vessel enters King's Road, and in due time goes up the Avon. The anchor is dropped, and the boat lowered for the passengers. They are but two —two aged females—the Countess of Desmond and her only child. The mother stands again on English soil, and is to make her way to the great capital; but how altered in form and mien, as well in worldly circumstance, from what she was when Sir Thomas FitzGerald claimed her as his bride!

To London they are to go, and every mile of the journey across England must be measured by those weary feet. Her daughter's strength has totally failed her. A humble wheeled vehicle is procured. It can hold but one; but, by its side, the mother will walk and watch her child. Picture to yourself, kind reader, the wayfarers. How slow must have been their progress! How interminable the way! In the "Table Book" of Sidney, Earl of Leicester, we have them brought before us to the life. Speaking of the Countess of Desmond, he writes :—

"This olde ladye . . . landing at Bristol, came on foot to London, being then so olde that her daughter

was decrepit, and not able to come with her, but was brought in a little cart, their poverty not allowing better meanes."

That the pilgrims reached London in safety we are assured, and, in the royal presence, the aged Countess narrated her sufferings and obtained relief. In the great metropolis, as may be supposed, her appearance created no common sensation. Her portrait was at this time painted, and it has come down to our own times. On the back is the following inscription :—

"Catherine, Countesse of Desmonde, as she appeared at ye Courte of our Sovereigne Lord King James, in this present year 1614 [1604?] and in ye 140th yeare of her age. Thither she came from Bristol to seeke reliefe, ye House of Desmond having been ruined by attainder. She was married in ye reigne of King Edward IV., and in ye course of her long pilgrimage renewed her teethe twice.* Her principal residence is at Inchequin, in Munster, whither she undauntedlye proposeth (her purpose accomplished) incontinentlie to return: LAVS DEO."

To her Irish home she came back, at last to find rest—the rest of the grave! In this same year (1604) she died,†

* Mr. Richard Sainthill, of Cork, in a charming little brochure, discusses with considerable ability the life of the Old Countess, and takes another view of it. "If, however (thus writes Mr. Sainthill to me), I make my case, to a judicious and discerning public, clear as the sun at noonday, the story of the Old Countess of Desmond tramping up from Bristol to London will remain in all its intensity; when my poor pages pass to line travelling trunks of emigrants to America." Mr. Sainthill also maintains that the Old Countess never sat for her portrait.

† In Sir George Carew's MS. Pedigrees of the Nobility and Gentry of Ireland, now preserved at Lambeth, is the descent of

under the singular circumstances set forth in the Earl of Leicester's "Table Book."

"Shee might have lived much longer, had shee not mett with a kind of violent death; for shee must needs climb a nut-tree, to gather nutts, soe, falling down, she hurt her thigh, which brought a fever, and that brought death."*

Enquiry has been made for the burial-place of the Old Countess. In the absence of evidence to the contrary, we may safely assume that her remains were laid with those of her husband in the Youghal Franciscan Friary; but a search there for the tombs of the Geraldines is fruitless. Seven Earls of Desmond, besides numberless members of families of lesser rank, were interred within its walls, but not a vestige of their monuments exists. The religious house itself is swept away. The cemetery is partly built on and partly converted into gardens; and the great dramatist's speculation as to the ultimate destiny of Cæsar's dust may find its parallel in that of the Geraldines. The clown grows his cabbages out of the ashes of brave men and gentlewomen belonging to one of the noblest lines of Europe!

Of this wonderful woman many portraits exist, but

"the Lords of Decies" (626 and 635). To the Old Countess's name is appended this note—"She died in anno 1604."

* All modern biographers of the Old Countess think it right to introduce the drollery of Thomas Moore, who in his "Fudge Letters" thus uses her name:—

> "Older far than my grand-dam—indeed, aye, as old
> As that Countess of Desmond, of whom we are told
> That she lived to much more than a hundred and ten,
> And was killed by a fall from a cherry-tree then!
> What a frisky old girl!"

the authenticity of the majority is doubtful. At Dromana, her birth-place, is a small picture painted on oak, representing a very aged lady, said to be the Countess. This is probably genuine. The portrait taken in London, when the old Countess presented herself at the Court of King James, is now at Muckross, the lovely seat of Colonel Herbert. It is on canvas, of an oval form, about three feet long, and has a richly-carved frame. She is represented in the dress of her time, wearing on her head a kind of hood, and on her neck a lace collar, while her person is enveloped in a fur mantle laced in front. At the Knight of Kerry's is a panel picture, which, being attributed to the Countess, was engraved as such by Nathaniel Grogan, of Cork. A close examination, however, has since revealed on the panel the name of the painter, Gerard Douw, so that we must reject this picture altogether. In the Standard Closet, Windsor, is a picture likewise assigned to the Countess, and for this reason engraved by Pennant in the quarto edition of his "Tour in Scotland;" but this picture is supposed by some to be Rembrandt's mother because her name is written on the back of the painting. It was, however, exhibited, at one of the recent exhibitions at Kensington, as the Countess of Desmond. At Knowle is a doubtful portrait. Lastly, at Chatsworth is a picture, probably a likeness, because it is said to have been brought into the Cavendish family on the marriage, 28th March, 1748, of William, Marquis of Hartington, with the Lady Charlotte Elizabeth, only child and heir of Richard, fourth Earl of Cork and Burlington.

The Smyths of Ashton Court.

"Bring in the evidence———
Thou robed man of justice, take thy place."
KING LEAR.

"——— How like a hateful ape,
Detected grinning 'midst his pilfer'd hoard,
A cunning man appears, whose secret frauds
Are open'd to the day."—COUNT BASIL.

IN times before Railways existed, one of the many charms of a journey through England, was the glimpse it afforded of the ancestral Homes and the old Manor-Houses which are so peculiarly characteristic of our country. The traveller through the Midlands and on to the North found the tedium of the day much enlivened by the pleasure he felt, at recognising the towers of historic Belvoir, the stately castle of Stafford, the sunny lawns of Trentham, the grand gates of Tatton, the Park of Beaudesert, the distant woods of Knowsley, and many other seats in which we seemed to take a national pride and a personal interest. Sir Dominic Corrigan has eloquently remarked, that "a statue in a public way is a book to every passer-by." May I not borrow the simile from my distinguished and accomplished friend, and apply it with equal force to the

hereditary seats of England? "They are," says Washington Irving, "most of them full of story—haunted by the recollections of great spirits of past ages, who have sought for relaxation among them from the tumult of arms or the toils of state, or have wooed the muse beneath their shade." The West Country had many of these historic places, and we all recollect, on the road from Bristol to Weston, that fine specimen of Inigo Jones's style, old "Ashton Court." This curious house was the head—the *caput baroniæ* as it were—of a grand property, variously estimated at £20,000 or £30,000 a-year, and had been inhabited, generation after generation, by an eminent county family, uninterruptedly, and without question. At last, about sixteen years ago, an attempt was made to oust from its possession the young heir of the Smyths; and among the *causes célèbres* by which the present century has been characterised, and by which the security of family estates has been temporarily placed in jeopardy, I know of no case more worthy of record, either from its complexity of villany, or the mysterious romance and legal chicanery which surrounded it, than that of *Smyth* v. *Smyth*, which was tried at the Gloucester Assizes before Mr. Justice Coleridge, in August, 1853, and by which the plaintiff sought to eject John Henry Greville Smyth, a minor, heir of the ancient family of Smyth, of Ashton Court, Somerset, from the mansion house and estates where his ancestors had been domiciled in peaceful and uninterrupted succession since the reign of Henry V., at which period, A.D. 1420, the manor of Long Ashton was acquired by purchase, by Mr. Thomas Smyth, of Ayeleburton, co. Gloucester, from Ashton de Lyons,

whose family had held the manor of Ashton in fee from the days of the Norman conquest.

An attempt to disturb an inheritance that has been recently acquired, would excite no special wonder, or occasion more than ordinary interest; but where the title deeds date from remote antiquity, and where the family records are darkened by the hallowed dust of ages, and preserved with minutest care, he must indeed be an adept in daring who would venture to challenge the right of ownership. In the case under consideration, one can hardly say which more excites our astonishment, the audacity of a man, without a shilling in the world, whose antecedents were known in half the county gaols of England, without the remotest connection with the family whose estates he coveted, and whose repose he recklessly invaded, planning so nefarious a crime, and carrying it out, month after month, persuading others of the justness of his claims, until by his own unrivalled iniquity, and the public credulity, he was enabled to bring his case before a special jury; or the fact that such an impostor should be able to find in this enlightened age a solicitor so simple-minded, and credulous, as to listen to a tissue of falsehood so utterly improbable, without suspecting the honesty of the plaintiff, or the genuineness of the documents by which he sought to substantiate his claims.

I have already stated that the Smyths of Ashton settled upon their present estate in the fifteenth century, and the muniment room at Ashton Court furnishes ample evidence of the regularity with which the family records in each successive generation have been preserved.

The old baronial mansion of the Lyons family was remodelled in 1634, by Thomas Smyth, Esq., M.P. for the county of Somerset (from designs by the celebrated Inigo Jones), and his son, Hugh Smyth, who married the daughter of John Ashburnham, groom of the bedchamber to Charles I., supported the cause of his unfortunate Sovereign, and was for his loyal services created a Baronet at the Restoration. The family papers are rich in letters of that interesting period.

The commencement of the present century found Sir John Hugh Smyth, Bart., in possession of the family estates: he died without issue in 1802, and was succeeded by his nephew, Sir Hugh Smyth, eldest son of Thomas Smyth, of Stapleton, Gloucestershire. Sir Hugh Smyth was twice married, but was known to have had no issue by either wife. The plaintiff, however, claimed to be the son of Sir Hugh Smyth, by a previous marriage. Sir Hugh dying in 1824, was succeeded by his only brother, the late Sir John Smyth, Bart., at whose decease without issue in 1849, the estates devolved on his eldest sister, Florence, the widow of John Upton, Esq., of Ingmire Hall, Westmoreland; and at her decease in 1852 (her son Thomas Upton having died in her lifetime), the property devolved upon her only surviving grandson, John Henry Greville Upton, a minor, and the defendant in the action, who dropped the name of Upton, assumed the name and arms of Smyth by royal licence, and to whom Her Most Gracious Majesty was pleased to restore the family title and dignity of baronet upon his attaining his majority in 1859.

On the death of Mrs. Florence Smyth, in 1852, Mrs. Upton made her son a ward of the Court of Chancery,

and at her request the entire management and control of the estate were placed in the hands of her brother, Arthur Way, Esq,, afterwards member of Parliament for Bath, who was duly appointed receiver of the Ashton Court Estates by the Lord Chancellor. Mr. Way at once set about the arrangement of the family affairs, little suspecting how soon the rights of his nephew were to be invaded: the first intimation, however, of the approaching storm came within two months; the following letter appearing upon the breakfast table on the morning of the 9th of September.

"Bristol, Sept. 8th, 1852.

"Sir,—I am directed by Thomas Rodham, Esq., of Wellington, the deputed Steward of Sir Richard Smyth, Bart., of Ashton Court, Sommersett, to advise you that after this notice you do not interfere in any way, directly or indirectly, with the tenants or property of the said Barony; and I am also directed to forbid the destruction of the Deer in the Park, and to request that you will consider yourself from this date a trespasser upon the property of Ashton Court; and you are also advised that Sir Richard Smyth has this day in person taken possession of Heath House, at Stapleton, and that in future your visits to that house, or to the lands thereof, will be considered a trespass.

"Your most obedient servant,
"Henry Brown,
"For Thomas Rodham, Esq.

"Arthur Edwin Way, Esq.,
Ashton Court."

Such an unexpected announcement was somewhat calculated to create uneasiness, and it was quickly followed by the arrival of Joseph Turvey, a faithful servant of the family for upwards of fifty years, who reported that on the previous afternoon two suspicious-looking characters had made their appearance at Heath House

(the family mansion in Gloucestershire), and had requested to see the house; that one of them, having been shown the portrait of Sir Hugh Smyth, prostrated himself before the picture, exclaiming "Oh! my father, my beloved father," and then announced himself as Sir Richard Smyth, the lawful owner of the estates; "upon which," continued honest Joseph, "unable to restrain myself, I exclaimed, 'Now I tell ye what it is; I've known the family, man and boy, this fifty year, and I never seed the likes of ye among 'em, and if you don't just clear out, I'll kick ye out, and that's all about it:' " this threat proved effectual, and the visitors at once departed.

The same day "Sir Richard Smyth" and a Mr. Rodham, a solicitor, called at Ashton Court, and sending in their cards, requested an audience. Mr. Way, being anxious to take the measures of the parties he had to deal with, after giving his instructions, desired they might be shown into a room on the basement story, where he waited upon them. The *soi-disant* Sir Richard Smyth, who was introduced by his solicitor, appeared to be about sixty years of age, tall, of sallow complexion, and very repulsive features. Mr. Way complimented Sir Richard on his baronetcy, and requested to know his pleasure, when the "Baronet" desired his solicitor to state "his strange, eventful history." This his solicitor did at great length, and was heard with much patience, and at the end the following conversation took place:—

Mr. Way: "Sir Richard Smyth, have you anything further to state?"

Sir Richard: "No, sir, except that I wish you to discharge the household, as my own servants are coming

here, and I request you will hand me the keys of the mansion; but you need not hurry, sir, I will allow you two hours to take your departure."

Mr. Way: "Mr. Rodham, have you anything more to say?"

Mr. Rodham: "Not a word more, sir; I have fully stated Sir Richard's case, and I trust you will throw no impediments in the way of his regaining his family estates."

Mr. Way (placing his watch on the table): "Now, then, I must request your attention to what I say. You have come here in the face of day to perpetrate a robbery of no ordinary kind. In a case so monstrous I can make no distinction between solicitor and client. You must both leave the house within the minute, or be prepared to take the consequences."

Sir Richard stormed, Mr. Rodham expostulated; in vain; the minute elapsed, neither would budge an inch. Mr. Way quietly touched the bell, when the men-servants rushed in, and without saying a word seized the astonished Sir Richard and his lawyer, carried them off *vi et armis*, and deposited them outside the house; and so ended Sir Richard's first attempt to regain, as he said, "possession of his ancestral halls."

At the close of this first act of the drama, Mr. Rodham disappeared from the scene, either discovering that Sir Richard was an arrant impostor, or fearing to share further in Sir Richard's adventures. Little was heard of the new Baronet before the ensuing spring, when Mr. Cattlin, a well-known solicitor, of Ely Place, Holborn, received Sir Richard's confidence. He soon infused new vigour into the cause, and served the tenantry on Ashton

Court estates with notices to account to no one but himself, as Sir Richard's agent; but to the credit of the numerous tenantry, it is due to state, that only one was found among them to betray those whose property they held. During this period of comparative calm, rumours were afloat that Sir Richard had made wonderful discoveries; wills and documents of the utmost importance had, it was reported, come to light, which left no doubt of his legal right to the estate. Sir Richard himself rose high in favour and credit; and, from being a pauper in 1852, he was in the following summer comfortably housed at St. Vincent's Priory, Clifton; and a lady, who styled herself Lady Smyth, presiding at his well furnished table, where quite a little court of expectant Bristolians assembled daily, to offer the incense of their homage to the rising sun. Credulous butchers and bakers, milliners and tailors, and tradesmen of every description, awaited with anxiety Sir Richard's favours, and were only too anxious, in many cases, to advance money to forward Sir Richard's claims; and it was a highly edifying sight to witness Sir Richard and Lady Smyth's progress to church on Sunday, followed, in the Roger de Coverley style, by a tall, well-dressed lacquey, carrying the family Bible and other accessories of devotion.

On the last day of Trinity Term, on the 11th June, 1853, Mr. Cattlin served Mr. Way with a writ of ejectment on behalf of Sir Richard Smyth, to regain possession of Heath House, Stapleton, and Elmington Farm, both situate in the county of Gloucester. At the same time he informed Messrs. Palmer and Wansey, the family solicitors, that he was in possession of a will,

under the seal and signature of Sir Hugh Smyth, which rendered the title of his client, Sir Richard Smyth, indisputable. As the issue which involved such important interests was to be tried at Gloucester on the 9th of August ensuing, it was evident that no time was to be lost in defeating a conspiracy which was now assuming formidable proportions. Mr. Way went therefore with Mr. Palmer to London, where they prayed for inspection of the alleged will of Sir Hugh Smyth, stating in their affidavit that such document was, to the best of their belief, a "barefaced forgery." Mr. Justice Coleridge, who heard counsel in chambers on either side, granted the order. The mysterious document was accordingly examined in Mr. Cattlin's office by Mr. Way, Mr. Palmer, Mr. Knapp, of the firm of Osborn and Ward, Bristol, and by Mr. Nethercliff, the expert in writing, and, after a careful examination by these gentlemen on the part of the defendants, no doubt was left on their minds that this alleged will of Sir Hugh Smyth was not only, as stated, a "barefaced forgery," but, from the mis-spelling in the will exactly corresponding with the mis-spelling in certain letters from the plaintiff, of which they had gained possession, that the will itself was the handywork of the *soi-disant* Sir Richard. From this moment the defendants never hesitated to assert that the plaintiff's claim was based on forged documents, and that the whole case was a deliberate fraud. Eventually, Mr. Way and Mr. Palmer, finding that a trial was inevitable, and seeing with whom they had to deal, secured the same day the services of an experienced detective officer; and, as time pressed, a division of labour was necessary. To Mr. Field, therefore, it was

allotted to watch Mr. Cattlin's office, and to work out the antecedents and pedigree of the plaintiff, tracing his history backwards from his residence at St. Vincent's Priory; and, while Mr. Field entered upon this branch of inquiry, for which he was eminently adapted, Mr. Way, who had in former years acquired considerable experience as a justice of the peace in the colony of New South Wales, and who, in the present cause, exhibited evidence of great judgment and ability, resolved to start for Ireland, to make inquiries in the neighbourhood of Court Mac Sherry, where it was alleged by the plaintiff that Sir Hugh Smyth had married his mother, Hesther Gookin, in 1796.

On arriving at Bandon, county of Cork, Mr. Way found that Sir Richard and Mr. Cattlin had paid ten visits of some duration to that place, and that the tangled web of the plot, which had been evidently laid there, required the nicest handling. It appeared that "Sir Richard" had been received at Castle Bernard by the Earl of Bandon, and at other houses, as an honoured guest, his story being that "an illegitimate heir had got possession of his vast estates," but that his proofs were so clear he had hardly expected opposition. A fortnight was spent by Mr. Way in this locality, examining a vast number of witnesses, many of whom had been subpœnaed by Mr. Cattlin to give evidence at Gloucester. In the course of his inquiries he found that at Court Mac Sherry, where the marriage was alleged to have taken place, no register was extant beyond the present century; that no such person as Hesther Gookin ever existed; and that Count J. S. Vandenbergh was purely a myth. Furthermore, "Sir Richard's" family history

proved to be simply a fabrication, without one particle of truth from beginning to end. At Castle Bernard Sir Richard had the effrontery to doubt the family portraits, "because they bore no resemblance to his own family;" and at Ballinadee, where the Rev. Richard Verney Lovett had formerly lived, Mr. Way obtained the celebrated coat of arms, with the motto, "Qui capit capitor," from Mr. Bennett, the incumbent, who was promised by Sir Richard the first of his many family livings that might become vacant, "none of which were under £600 per annum," in consequence of Mr. Bennett having kindly furnished him with one or two specimens of the Rev. Verney Lovett's signature.

On Mr. Way's return, after a most satisfactory and searching investigation into the Irish part of the plot, he was pleased to find that Mr. Field had been equally successful in the prosecution of his researches. The birth, parentage, education, and antecedents of Sir Richard Hugh Smyth, Bart., *alias* Thomas Provis, were unfolded and brought to light; and the results of these inquiries were embodied in a brief, so complete in its minutest details, that Sir Frederic Thesiger bestowed the highest encomiums upon it, when placed in his hands by Messrs. Palmer and Wansey, the defendant's solicitors.

At the Summer Assizes held at Gloucester, on the 8th August, 1853, the question was brought to issue. Gloucestershire and the neighbouring counties were excited beyond precedent at the trial about to take place; there was not an unoccupied nook in the Court-house. The Counsel's benches displayed a vast array of barristers, and the Hall was crowded with gentlemen

and ladies from all parts. Mr. Justice Coleridge presided as judge, Mr. Bovill, Q.C., Mr. Dowdeswell and Mr. Phipson appeared for the plaintiff; and Sir Frederic Thesiger, Q.C., Mr. Crowder, Q.C., Mr. Alexander, Q.C., Mr. Tufnell and Mr. Gray for the defence.

Seldom was the public more intensely interested, and breathless indeed was the excitement when Mr. Bovill rose to state his client's case. The learned gentleman opened with an apology for the absence of Sir F. Kelly, Q.C., and Mr. Keating, Q.C., who had been retained on behalf of the plaintiff, and then proceeded at great length to enumerate all the circumstances of this romantic case.

He explained how, on the death of Sir Hugh Smyth, the estates passed to his brother, Sir John Smyth, and how, the plaintiff having come to the knowledge of his rights, went in the year 1849 to Sir John, and informed him of his relationship to the deceased Sir Hugh Smyth, producing by the intelligence, such an effect on the Baronet, that he became unable to eat, wandered about the house disconsolate, and died suddenly the next morning. The learned counsel then said that for some time the plaintiff, for want of funds, was unable to assert his title to the property, but he was now enabled to come into court: and that he should establish beyond all doubt, that the plaintiff was the son of Sir Hugh Smyth, by Jane, the daughter of Count Vandenbergh, to whom he was married in Ireland, in the year 1796. At that time, continued Mr. Bovill, there were no public registers in that country, but the entry of this marriage in a family Bible would be proved, and the signature of the witnesses would be shown to be the undoubted signa-

tures of the parties. The entry was in the following form:—

"I certify that Hugh Smyth, Esq., son of Thomas Smyth, Esq., of Stapleton, in the county of Glocester, in England, by Jane his wife, was this 19th day of May, 1796, married by me to Jane, the daughter of Count John Samuel Vandenburgh, by Jane, the daughter of Major Gookin, and Hesther his wife, of Court Macsherry, County of Cork, Ireland.

"VERNEY LOVETT, D.D., Vicar of Lismore.

"Signed by { "HUGH SMYTH, "JANE VANDENBERGH.

"Witnesses { "CAROLINE BERNARD, "JOHN S. VANDENBERGH, "MELESINA LOVETT."

The plaintiff would produce a brooch with the name of Jane Gookin upon it, and also a portrait of his own mother, and the signatures of all the parties to the different documents would be proved by the most unexceptionable evidence. The learned counsel then read the following entry of the plaintiff's baptism, which was contained in the same family Bible:—

"Richard Hugh Smyth, son of Hugh Smyth, Esq., and Jane, his wife, born September 2nd, 1797; baptized September 10th, 1798, No. 1, Royal Crescent, Bath.

"J. SYMES, Clerk.

"CAROLINE BERNARD,
"ISABELLA THYNNE."

Mr. Bovill explained that the reason why the plaintiff's birth was kept a secret, was, that his mother died in child-birth, and that Sir Hugh Smyth was anxious to marry Miss Wilson, the daughter of the Bishop of Bristol: that the plaintiff was brought up in the house of a carpenter at Westminster, named Provis, which

had given rise to the rumour which had been spread abroad, that the plaintiff was an impostor, and, in fact, Provis's son. It would be proved, however, that he was educated at Winchester, and, it was believed, at the expense of Sir Hugh Smyth. In the year 1814, added the learned Counsel, a man named Grace, who was Sir Hugh's butler, represented to Sir Hugh that his son, who had gone abroad, was dead. The following letter, in the handwriting of Sir Hugh Smyth, addressed to his wife on the eve of her delivery, had been discovered:—

"Stapleton, Feb. 2, 1797.

"Dear Jane,—The bearer is my old nurse, Lydia Reed, in whom I have every confidence as to her skill and attention to you. I will endeavour to be over to-morrow, and bring my mother with me. Till then, God bless you, and that you may have a safe deliverance is the prayer of your affectionate husband,

"Hugh Smyth.

"To Mrs. Smyth, Warminster."

The plaintiff's case went on to show that Sir Hugh was married again in the year 1819 to a Miss Howell, and that circumstances having convinced him that the plaintiff was still alive, he in the year 1822 executed a document declaring the plaintiff to be his son; that this document was discovered in the possession of a member of the family of Lydia Reed, the plaintiff's nurse; that it was signed by Sir Hugh Smyth, the deceased baronet, in a trembling hand, and by Sir John Smyth, his brother, and other persons as witnesses; that all these signatures would be proved to be genuine; that the seal attached bore the family arms; that Sir Hugh recovered his health, and that he afterwards, in the following

year, executed another document of similar import, which was in the following terms:—

"I, Sir Hugh Smyth, of Ashton Park, in the county of Somerset, and of Rockley House, in the county of Wilts, do declare that in the year 1796, I was married in the county of Cork in Ireland, by the Rev. Verney Lovett, to Jane, the daughter of Count Vandenbergh, by Jane, the daughter of Major Gookin, of Court Macsherry, near Bandon. Witnesses thereto, the Countess of Bandon and Melisina Lovett. In the following year, Jane Smyth, my wife, came to England, and, immediately after giving birth to a son, she died on the 2nd day of February, 1797, and she lies buried in a brick vault in Warminster Churchyard; and my son was consigned to the care of my own nurse, Lydia Reed, who can at any time identify him by marks upon his right hand, but more especially by the turning up of both the thumbs, an indelible mark of identity in our family. My son was afterwards baptized by the Rev. James Symes, of Midsomer Norton, by the names of Richard Hugh Smyth, the sponsors being the Marchioness of Bath and the Countess of Bandon, who named him Richard, after her deceased brother, Richard Boyle. Through the rascality of my butler, Grace, my son left England for the Continent, and was reported to me as having died there; but, at the death of Grace, the truth came out, that my son was alive, and that he would soon return and claim his rights. Now, under the impression of my son's death, I executed a will in 1814. That Will I do, by this document, declare null and void, and to all intents and purposes set aside in all its arrangements, the payments of my just debts, the provision for John, the son of the late Elizabeth Howell, and to the fulfilment of all matters not interfering with the rights of my heir at law. Now, to give every assistance to my son, should he ever return, I do declare him my legitimate son and heir to all the estates of my ancestors, and which he will find amply secured to him and his heirs for ever, by the Will of his grandfather the late Thomas Smyth, of Stapleton, Esq., and further by the Will of my uncle the late Sir John Hugh Smyth, Bart. Both those Wills so fully arrange for the security of the property in possession or reversion, that I have now only to appoint and constitute my beloved brother, John Smyth, Esq., my only executor, for his life. And I do, by this deed, place the utmost confidence in my brother, that he will at any future time do my son justice. And I also entreat my son to cause the remains of his mother to be removed to Ashton, and buried in the

amily vault close to my side, and to raise a monument to her memory. Now, in furtherance of the object of this Deed, I do seal with my seal and sign it with my name, and in the presence of witnesses, this 10th day of September, in the year of our Lord 1823.

"HUGH SMYTH (L.S.)

"JAMES ABBOT.

"WILLIAM EDWARDS.

"WITIAM DOBSON."

Mr. Bovill, in continuation, stated that it would be proved that the above document had been signed by the parties, and that it was discovered in the possession of an attorney's clerk in London, who formerly lived at Bristol. He then proceeded to give a narrative of the personal career of the plaintiff from 1814; that he had gone abroad in that year with a Mr. Knox, commonly called Lord Knox, and gave himself up to various studies, particularly the science of mnemonics, till his return to England in the year 1826, when he devoted himself to lecturing in various parts of England; and though he suspected he was the son of Sir Hugh Smyth, circumstances prevented him from taking any steps till the year 1849, when he went to Sir John Smyth, his uncle, who admitted his relationship at that interview, but died the same night, from agitation. From that time the plaintiff had used every effort to vindicate his rights, and those facts, and the documents which had been discovered, would, he observed, leave no doubt on the minds of the jury, that the plaintiff was entitled to the estates which he now sought to recover. The learned counsel made a strong appeal to the feelings of the jury, on account of the difficulties his client had to encounter in bringing forward his case, against so formidable an opponent as the defendant, and complained

loudly of the intimidation which had been practised towards his witnesses, by the defendant's agents, to prevent their giving evidence on his trial; but he still had the fullest confidence that they would come forward and tell the truth. The main fact in the case would be, that Sir Hugh Smyth was married in Ireland, to the daughter of Count Vandenbergh, and that the plaintiff was the issue of that marriage.

Several witnesses were then called to prove Mr. Bovill's statement, and, so far as their testimony went, especially the evidence of most respectable persons, who deposed to the genuineness of the entry in the Bible of the marriage of Sir Hugh to the daughter of Count Vandenbergh, the outline of the plaintiff's case, as opened by his very able counsel, was substantiated. When the plaintiff himself was called, and, with slow and measured steps, entered the witness-box, the excitement of the audience rose to the highest pitch. The romantic nature of his claim—the immense stake at issue—an honoured inheritance, and lordly parks, and mansions, with a rent-roll variously estimated at £20,000 to £30,000 a year, were indeed sufficient cause of the deep anxiety which prevailed in the crowded court, apart from the rumour that the claim of the *soi-disant* baronet would be sustained by forged documents and perjury, which appeared to have been a groundless rumour, so far as the case had gone. With the coolness and measured accents of a practised lecturer, the plaintiff proceeded to relate his story, in the course of which he swore that the will of the late Sir Hugh Smyth had reached him in a mysterious way, and had come in a brown paper parcel from London, by

the Great Western Railway, accompanied by a letter, dated the 7th of March, 1853, from one "Frederick Crane," whom he had never seen. The documents and other evidence for the plaintiff were then produced. Crane's letter stated that he, Crane, received the Will from Henry Coward, a clerk in the office of Mr. Merriman, a solicitor at Marlborough, near which place Sir Hugh Smyth sometimes resided. The Will was sealed with a seal containing the arms of the Smyth family, with the motto, "Qui capit capitor;" the family Bible contained the entry of the marriage of Sir Hugh Smyth with Jane, daughter of Count Vandenbergh, in 1796; and the brooch was also produced with the name of Miss Vandenbergh's mother, "Jane Gooken," engraven upon it. The entry of the plaintiff's baptism, as "Richard Smyth, son of Hugh Smyth, Esq., and Jane, his wife," was also referred to in the same Bible. And the letter of Feb. 2, 1797, written by Sir Hugh Smyth, at Stapleton, to "Mrs. Smyth, Warminster," as his wife, was also read. So far all went on smoothly enough for the daring aspirant to hereditary honours and estates, nothing of any vital character having up to this failed in the proof of his case; but when Sir Frederick Thesiger rose to cross-examine him, the excitement which previously existed on the entrance of the plaintiff into the witness box, was, if possible, still more intense. In the midst of a profound silence, the first tones of the deep voice of the great lawyer broke upon the ears of the excited auditory with startling effect. With cold and settled gaze, he seemed to search into the very innermost recesses of his victim's breast, and brought him, step by step, through his whole story, backwards and

forwards, making him writhe in his intellectual grasp, and call out repeatedly, in whining tones, against the cruelty of the cross-examination. The brooch was opened by a jeweller, and on the back of it was found this inscription:—"Born 14th May, 1774—married May, 1796." The plaintiff again detailed his interview with Sir John Smyth, who, he asserted, acknowledged him to be his nephew, and who said he would take care to arrange all that was necessary with regard to the title to the property; he also gave him a £50 Bank of England note. The witness corrected his evidence on this point and said first it was a note of Miles's Bank; and again that it was of the Bank of England. He was brought, at great length, over contradictions between the letters he had written to various persons and his present evidence. He told, he said, Mr. Abbott, the Steward in the park of Ashton Court, in May, 1852, that he had a picture of his mother, and also one of his father, Sir Hugh Smyth. Mr. Abbott asked him where he had got it, and he made answer, "I did not steal it." Abbott replied the story was a very improbable one. The reading of letters written by the plaintiff created considerable merriment, from his habit of spelling with double consonants. He had lectured, he said, before Her Majesty, at Kensington Palace, on oratory, in 1852. His further cross-examination was resumed on Wednesday, August 10th. He denied that he ever went by the name of Provis, never said that John Provis of Warminster, lately of Frome, was his father, or ever claimed kindred with Mr. Provis, the manager of the Yeovil Bank. He never said it would not do to be called Tom Provis, and that it was much better to be called "Dr. Smith."

"I never went to Frome, and never took an inventory of John Provis's things. I did not tell Charles Tucker that if my father, Provis, died he was to take care of the things, for I was the rightful owner. (A book containing an entry of old Provis's effects was handed to witness.) I could not swear this was my handwriting—I should say it was John Provis's handwriting. I will not swear it is not mine. There is a leaf torn out, and I won't acknowledge it. Now I call to mind, I might have made the inventory. I might venture to say I did write it. The old man, Provis, wished to defend himself from the encroachment of the Tuckers." (The plaintiff's attention was called to one item—"Painting of son John.")—"The old man used to call it the picture of his son John. That is the picture which now has on the back of it the words—'Hugh Smyth, Esq., of Stapleton, Gloucestershire, in England, who married in 1796.'"

The witness here sat down while the painting was being brought, and appeared somewhat exhausted. After a pause, he applied to the Court that all the witnesses who were coming to swear to this picture should be out of court, particularly Mrs. Heath, and Tucker and his wife. Sir F. Thesiger objected, but Mr. Justice Coleridge said, he thought that it ought to be so, and they were ordered out. The picture was here produced: it was an oil painting, of about twenty inches by thirty, of a young man of about twenty years of age, sitting in an arm-chair covered with red leather, with a book in his hand, dressed in a blue coat with bright buttons, a white waistcoat, and white cravat, with gold brooch set with a stone.

Plaintiff—"That is the picture referred to in the inventory."

Extracts were here read to witness from several letters which he had written, in which he had spoken of an oil likeness of his father in his possession, with

the inscription—"Hugh Smyth, Esq., son of Thomas Smyth, Esq., of Stapleton."

Plaintiff—"Most likely I intended to refer to that painting." (The inscription was here read—"Hugh Smyth, Esq., son of Thomas Smyth, Esq., of Stapleton, County of Gloucester, 1796.") "The writing on the back is not in the same state now as it was. I put the acid on the back, and brought the writing out. It was not perceivable by the dirt. I brought it out by putting acid upon it immediately I brought it home to Bristol in the autumn of last year. I will swear the writing at the back is in the same state as it was then. It is the same as it always was. I applied tartaric acid, I am almost sure it was tartaric acid. I don't know tartaric will discharge ink. I used tartaric acid to remove dirt. I think it must have been soda. I forget. I have read of methods used to discover things on old canvas. The picture was in the house. It was in Mrs. Mattick's house. It was found in the kitchen, on a shelf. The inventory did not refer to that painting."

The witness here looked at the inventory of old Provis's effects, and said:—

"I say, at once, this is not my handwriting. I did not swear I wrote it. It is very like Provis's own writing. I might have written like the old man." (On being further pressed.) "It is my handwriting. The words, 'painting of Son John,' do refer to that picture. I may have admitted it was a painting of his son John to ease his, Provis's, mind, to give way to his foolish fancies."

Plaintiff proceeded to state he was not married in 1814, in the church of St. Michael, Bath, to Mary Ann Whittick—that the name of his present wife was Ashton, and that he never had but one. Charles Ingram, whom he slightly knew, did not claim to be a nephew of his, nor did William Ingram, Deputy Governor of Bath gaol, meet him in July last, and address him as his uncle. He was only married once. Sir F. Thesiger handed him a letter, written by him to Mrs. Florence Smyth, on the

18th of May last, in which plaintiff stated, "I have a second wife," &c. Plaintiff said that he might have meant by it a young wife; but soon after he was forced to admit his marriage, in 1814, by the name of "Mr. Thomas Provis," and that he was married to his present wife in Scotland, in 1841. He admitted that he ordered some seals to be engraved. Applied to Mr. Moring, a seal-engraver, in Holborn. It was since Christmas. Had the seal in the month of March. Gave an order for a card-plate and cards on the 19th of December; but did not on that occasion order a steel seal to be made according to pattern, which he brought, with the crest, garter, and motto of the Smyths, of Long Ashton, to be engraved thereon. Ordered it afterwards. Mr. Moring got the crest from the letter, which was in the witness's possession, from Joseph Reed.

"I swear I showed that letter to him, and he took an impression from it while I was looking for the explanation of the motto. I know he did not take it from the *Baronetage*. I called for the seal in the beginning of March. (The steel seal was here produced.) I afterwards sent an order for a seal with the arms, crest, and motto of the Smyths. That order was executed, and a seal was sent to me at St. Vincent's Priory, Bristol. (This seal was here produced.) I was living at the Priory when the will which I spoke of yesterday was sent to me. I know nothing about Frederick Crane, the writer of the letter which came with it. I did not swear yesterday that this brown paper came with the will." (The judge's notes were read, from which it appeared he had so sworn.) "I don't know whether it was the paper in which the seal was sent. The motto on the first seal was correct, '*Qui Capit Capitur.*' I never discovered that the second seal had the words, '*Qui Capit Capitor.*' The seal was taken from the will of 1823. I rubbed silver paper on the seal, and sent it up to Mr. Moring. I may have sent it in the month of May. I got the seal, I think, on the 7th of June. I wrote to the minister of Ballinaslee, near Bandon, for specimens of the late Dr. Lovett's hand-writing. (Letter read.) I wrote to Mr. Bennett

on the 13th March, 1853." (The letter had a seal with "*Qui Capit Capitor.*")

The witness was asked why he swore that he did not receive the seal till the 7th of June, and said—

"It must be a mistake. I never saw the deed till the 17th of March. I must have received the seal before the 13th March." (The witness was here pressed to reconcile this statement with his former answer, that he had not received the deed till the 17th of March.)

At this stage of the trial an extraordinary circumstance occurred, which brought the case to a speedy termination. At half-past nine o'clock in the morning, a person in Oxford Street, after reading the report in the *Times* of the proceedings so far as they had gone, communicated to Sir F. Thesiger, by telegraph, that he could give some important information. Enquiries were made of him by the same medium, and a message was returned, telling counsel to ask the plaintiff whether he had not gone, in January last, to a person at 161, Oxford Street, and desired him to engrave the Bandon crest upon the rings produced, and also to engrave the name "Gookin" on the brooch. Sir F. Thesiger put the question, reading it from the despatch. A sickly paleness overspread the plaintiff's face, and, amid the breathless expectation of the crowded court, who hung with intense interest on the coming answer, he replied—"I did!"

The sensation which followed the admission may well be imagined. Sir F. Thesiger proceeded to ask a few more questions, to which the plaintiff gave the following answers:—

"During the eighteen months I said I was with Dr. Williams in

Parliament Street, I was not in prison in Ilchester gaol for horse-stealing. I have nothing particular on my neck. (The scars behind his right ear were visible) I was not sentenced to die for horse-stealing. My sentence was not commuted to eighteen months' imprisonment. It was not for stealing a gelding of a person named Haddon. I was there. I knew a Colonel Haddon by sight."

Mr. Justice Coleridge here interposed an observation to Mr. Bovill, upon which that gentleman rose, and, addressing the Court, said, he could scarcely express the emotion which he felt at the turn the case had taken. He and his learned colleagues felt that they could not interfere during the cross-examination of the plaintiff, or until the learned judge should interpose. But, after that appalling exhibition—an exposure unparalleled in courts of justice, which he (Mr. Bovill) need not say had come upon them all entirely by surprise—they felt it would be inconsistent with their duty as gentlemen of the bar to continue the contest any longer.

A verdict was accordingly given for the defendant, and Sir Richard Smith (alias Doctor Smyth, lecturer on mnemonics), stripped of his borrowed titles, was taken into custody and afterwards placed in the dock as plain "Tom Provis," to take his trial for perjury and forgery at the ensuing assizes.

At the criminal investigation some curious revelations were made of the way in which this expert schemer got up his case. The will of Sir Hugh Smyth did not reach him in the mysterious manner he represented. Its first appearance was in the hand of Tom Provis himself, who showed it to Frederick Crane, and put it in the brown paper, while he dictated to Crane the letter which the latter addressed to the *soi-disant* Baronet, telling

how it came from Coward, the deceased clerk of Mr. Merriman, the solicitor. This brown paper had also a special interest. Mr. Moring, the seal engraver of High Holborn, proved it was the same paper in which he enclosed a seal made to the prisoner's order, on the 7th of March, 1853. He engraved on this seal the arms of the Smyth family, and the motto. In copying the motto, "Qui Capit Capitur," the letter "U" became blotted, and was accidentally made to resemble an "O." The error was not detected by the engraver, and the seal, which was produced by the prisoner in Court, had on it the word "Capit*o*r" instead of "Capit*u*r." The deed was sealed with this fatal seal, the "O" being visible. The will of 1823 was, it also appeared, written on parchment prepared in a certain way, which was unknown until within ten or fifteen years previous to the trial! A distinguished chemist was of opinion that the ink on it was recent, and that the faintness of colour was produced by artificial means. The Will was also shown, from internal evidence, the spelling with double consonants, and peculiar phraseology and style, to have been prepared by the prisoner himself. It also transpired that the lady who was described in it as the "*late* Elizabeth Howell," was then living and married to Sir Hugh Smyth, and was received and known as "Lady Smyth," and that she did not die until the year 1841. The letter from Sir Hugh Smyth to his "wife Jane," previous to her confinement in 1797, referred to a person named "Lydia Reed," whom he recommended as a nurse-tender to her, and the prisoner alleged it was by this person he had been taken care of on his mother's death in childbirth, and through her he had afterwards

obtained the picture of the late Sir Hugh, and other relics of his family. But Provis's own sister, Mrs. Heath, and others, proved that they had known the picture for thirty or forty years, as "the portrait of John Provis, the eldest son of the carpenter;" and a book, containing an inventory of old Provis's effects, had an entry in it, in the prisoner's handwriting, in reference to this picture, as "portrait of Son John." Mrs. Heath, the prisoner's sister, declared she had never known him as any other than her own brother "Thomas Provis," until, indeed, he had become a public lecturer on "Mnemonics," and travelled about under the assumed name of "Dr. Smyth." A Bible was produced, showing an entry of his marriage in 1814, as Thomas Provis, to Mary Anne Whittick; and several witnesses also proved the marriage, though he had denied that marriage on his oath at the trial. The old Bible, produced as one that had formerly belonged to Sir Hugh Smyth, was proved to have been sold to him by Mr. Kempston, a second-hand bookseller, of High Holborn, in 1853, for the sum of fifteen shillings, so that the entry of the marriage in it, and the clergyman and witnesses' names, which most respectable witnesses had proved at the former trial to be genuine signatures, turned out elaborate forgeries. The ancient rings and brooches, which the prisoner had produced as confirmatory of his claim, were bought of Mr. Cocks, a jeweller in Oxford Street, in 1853, and on one of the rings the prisoner had engraved "Jane, wife of Hugh Smyth, Esq., *m.* 1796," and on the opposite side "*d.* 1797." Although selected by the prisoner as being of ancient make, the ring was found to be of modern workmanship. On another ring he had caused to be

engraven the words "Jane Gookin." It was in reference to the latter ring that the prisoner broke down in his testimony, when cross-examined from the telegram, which had arrived pending the action of ejectment. The book kept by Mr. Cocks, the engraver, was produced, containing entries of directions for these engravings, made by the prisoner himself. Provis cross-examined from the dock the witness throughout both days with great energy, if not with ability, interweaving his cross-examination with long, rambling speeches, which rendered it necessary for the learned judge several times to call him to order. At the close, he addressed the jury in his defence, still protesting that he was the son of Sir Hugh Smyth, but admitting that, in the assertion of his legal claim, he had done some things which could only be justified by the circumstances. In the course of his speech, he produced, with an air of triumph, an enormous pigtail, two feet long, which up to that moment, both on this and on the former trial had been kept concealed under his coat; and turning round, he displayed the curious appendage ostentatiously to the court and the jury, appealing to it as an irrefragable proof of his aristocratic birth, and declaring with solemn emphasis, that he was "born with it!" adding, that his son also was "born with one six inches long!" The verdict of the jury was, "guilty;" and the prisoner was sentenced to twenty years' transportation.

The forged Wills, the Bible, the jewels, the picture, and other fabricated instruments are now in the possession of the family at Ashton Court, as also the "pigtail" of the prisoner! These memorials represent a harass-

ing vicissitude, illustrative of a remarkable family incident in the history of Ashton Court, and the loss of between five and six thousand pounds in defending it from the machinations of an unprincipled adventurer.

The Fate of Bunny.

"Rancliffe! Shalt thou unnamed, unnoticed be?"

THE introduction of railways has withdrawn many of our finest country seats and places of celebrity from the public view. Bunny is one of these. When fifteen coaches a day passed along a road that now has not one, no stranger ever gained the summit of Bunny Hill without feeling that the prospect repaid the toil of climbing. Some thought the road must have been constructed over such an eminence for the sole purpose of affording passengers the treat of the magnificent prospect. Grongar Hill has not half so many charms to exhibit. On ascending the hill either way, the male passengers were always expected to dismount, and tales are told of several having been so lost in admiration as to have allowed the coach to pass on without them.

On ascending the south side there was the quaint-looking old mansion of Highfields, so often mistaken for a monastic ruin; and when the crown of the hill was reached, there was that expanse

"Of grove, and lawn, and mead,"

with Nottingham in the distance, which is, perhaps, unrivalled as a champaign view.

Bunny is the *beau ideal* of an English village. A venerable church, an ancient Hall, a free school, an almshouse, an old hostelrie, and substantial farmhouses and snug cottages, make pleasant pictures whichever way one looks. The Hall, since I saw it, has been modernized, but one portion of the old mansion, the hawking and hunting tower, has fortunately been preserved. Since the time of Queen Elizabeth the Hall was, until recently, the seat of the Parkyns family, and I shall in the course of this narrative show how it became alienated.

Colonel ISHAM PARKYNS was a faithful adherent of Charles I. He gallantly defended the garrison of Ashby-de-la-Zouch against the Parliamentarians, and spent a good estate in his royal master's service. In consideration of the father's devotedness and losses, his son Thomas was created a Baronet in the thirty-second of Charles II. Sir Thomas married Jane, sole daughter and heiress of Thomas Cressy, Esq., of Byrkin, and had, among other children, Thomas, his successor, and Katherine, married to Carew Weests, grandson of Sir Walter Raleigh.

The second baronet was a remarkable person. He was educated at Westminster, under Dr. Busby. He was afterwards of Trinity College, Cambridge, and studied for eight years at the Inns of Court. Succeeding to the Baronetage, he gave up the law, and retired to his ancestral seat, which he greatly improved and adorned. He rebuilt the Hall, and inclosed a park three miles in circumference with a wall on arches, the first ever made on that principle in this country. He restored the beautiful church, rebuilt all the farm houses,

founded the free-school, clothed the hills with woods, formed an aqueduct and a decoy, and erected the hunting and hawking tower of which I have spoken. Architecture, mathematics, hydraulics, and classical literature were his relaxations, but his business was the introduction of what he termed "the noble science of wrestling." For this purpose he founded an annual wrestling match, "open to all England," which has only been discontinued during the present century. In recommendation of this "science" he wrote a work entitled "The Cornish Hug," a copy of which he sent, with a very clever MS. dedication, to King George I., and received his Majesty's most gracious thanks and acknowledgments for it. This royal letter was among the family papers at Bunny, and was preserved, wrapped up in crimson silk, in a box apparently specially made for it, and lettered, in silver studs, "originell letter from King George to Sir Thomas Parkyns." It is certain, however, that "GEORGE R." was the only portion of the letter written with the royal hand. Every famous althlete in the kingdom was made welcome at Bunny Hall, but a preliminary condition to the *entrée* was that he should "try a fall" with the baronet himself, who was invariably the victor in the trial. Sir Thomas was anxious that every village in the kingdom should, like Bunny, have its wrestling ring, believing that the manly character of the people would be greatly promoted by it. He further perpetuated his attachment to the science by having his statue* in marble executed in his life-time

* Round the shoulder of the figure is a label with the words "*Artificis status ipse fuit,*" the true meaning of which has been disputed.

by his own chaplain, as the appropriate embellishment of his tomb!

This statue, which represents him in a wrestler's cap and dress, in the attitude of a wrestler, and with Death for his opponent, still forms the chief portion of his monument in Bunny church. The following lines from his own pen are appended:—

> "Quem modo stravisti longo certamine, Tempus,
> Hic recubat* Britonum clarus in orbe pugil:
> Nunc primùm stratus; præter te vicerat omnes;
> De te etiam Victor, quando resurgat, erit."

In the stage-coach times, often travellers, aware of the existence of this singular monument, would take advantage of the change of horses at Bunny, and run into the neighbouring church to obtain a view of it. Lord Byron, who rarely betrayed any interest in church sculpture, once rode from Newstead on purpose to see it.

Sir Thomas "Lucator," as he usually designated himself, married, firstly, Elizabeth, daughter and heir of John Sampson, Esquire, of Breaston, in the county of Derby, whose surname was said to have had a great charm for him. By her he had two sons and two daughters, Sampson, Thomas, Anne, and Harriett. Both these sons pre-deceased their father. Sampson married, and left issue. Thomas died at nineteen, a most promising young man.

Sir Thomas married, secondly, in 1727, Jane, daughter

* The "*recubat*" is at variance with the statue, which is erect and "full of lusty life;" while *Mors* or *Tempus* is prostrate.

of Alderman Barnat, of York, by whom he had two sons, Thomas, his successor, and George, an officer in the army.

The great patron of wrestling, the accomplished scholar, the upright magistrate, died in 1741, at the age of seventy-eight, and was succeeded by his son,

SIR THOMAS, the third baronet, whose three marriages present features of great irregularity.

He married, firstly, in 1747, his *great niece*, viz., Jane, daughter of Thomas Parkyns, Esquire, son of his brother Sampson; secondly, in 1765, Sarah, daughter of Daniel Smith, a cottager of Bunny; and thirdly, in 1795, Miss Jane Boultbee, the governess of the children of the second marriage.*

THOMAS BOOTHBY PARKYNS, the eldest son of the first marriage, born in 1755, was made an Irish peer in 1795, by the title of Baron Rancliffe. He married the daughter and sole heir of Sir William James, of Eltham Park, who took the castle of Sevendroog, in the East Indies, and erected a model of it on Shooter's Hill. By this marriage he had George-Augustus-Henry-Anne, the second Lord Rancliffe, and three daughters, the eldest of whom married Sir Richard Levinge, Bart., and left with other issue the present Sir Richard Levinge, Bart., M.P., senior representative of the Lords Rancliffe; the second daughter married Sir Wm. Rumbold, Bart.; and the third (when widow of the Marquis de Choiseul) married Prince Polignac. The second Lord Rancliffe married

* By his second marriage Sir Thomas had two sons, who died s.p., and three daughters, all of whom married and had issue; the Countess Metaxa, the child of one of these marriages, and the Rev. T. Parkyns Dobson, of another.

Lady Betty Forbes, daughter of the sixth Earl of Granard, and the niece of his guardian, the first Marquis of Hastings. This alliance did not prove a happy one; and, a separation having taken place, Lord Rancliffe formed a *liaison*, which continued uninterrupted for nearly thirty years, with a lady named Burtt. The godson of George the Fourth, and the ward of Lord Hastings, Lord Rancliffe had been very early introduced to fashionable life. Soon after attaining his majority he was returned M.P. for Minehead, and subsequently represented Nottingham in several parliaments. A thorough-going liberal, when liberals were but few, he was the idol of his Nottingham constituents.

Few men would address a crowd more pleasantly or more ably. He was a brilliant small-talker, rich beyond most men in anecdote, which he always told with exquisite grace. In the hunting field it was a general practice to form a group round Lord Rancliffe at the cover side, to listen to his sparkling *persiflage*. Fox-hunting was his glory and delight, and the author of the *Meltonians* paid him the following tribute in a poem which records the celebrities of the metropolis of fox hunting:—

> "RANCLIFFE, shalt thou unnamed, unnoticed be?
> I name not Hunting if I name not thee,
> Pride of the country! thine the liberal board,
> And liberal hand with bounties ever stored.
> What hungry hunter ever passed thy Hall,
> And found no warder answer to his call?
> Thy chat's as sparkling as thy cheer is good;
> Foxes ne'er fail us in Old Bunny Wood,
> And dull in sport, however good the day,
> Or good the pace, if RANCLIFFE is away."

In early life Lord Rancliffe had been intimate with Lord Byron, and, when the poet's remains were brought to England, he assembled his tenantry on horse-back, and followed the funeral procession to Hucknall church. Moore was often his guest at the Hall, and the evenings then were always *Anacreontic.*

His lordship died in 1850, and by his Will all his ancestral estates, including the beautiful demesne Bunny, together with the Manors of Keyworth, Wysall, Costock, and Leake, passed, in fee simple, to the lady to whom I have already alluded, Mrs. Harriet Burtt, who, after Lord Rancliffe's death, became the wife of G. A. Forteath, Esquire. Ten years after she had been in possession, and when she had considerably improved the estate, an attempt was made by Sir Arthur Rumbold, the late lord's nephew, to invalidate the will. The great Parkyns Will case, tried at the Nottingham assizes in March, 1861, was the result, but the plaintiff signally failed, the judge declaring that he had never in his experience seen a contested Will more clearly and more satisfactorily established. Nevertheless, that Will alienated from an ancient house a splendid inheritance, and Mrs. Forteath has recently sold the whole property to Messrs. Clayton and Shuttleworth for £200,000.

The Irish peerage became extinct on the death of Lord Rancliffe, but the baronetcy descended to the eldest son of the late lord's uncle, who was many years his lordship's junior. It will be recollected that the third baronet married late in life a third wife, Miss Boultbee. By her he had a son, Thomas Boultbee, who married Miss Smith of Edwalton, near Nottingham, and

dying, left issue two sons, Sir Thomas George Augustus Parkyns, the present baronet, and Mansfield Parkyns, the celebrated author and traveller, who is married to the Hon. Emma-Louisa, third daughter of Lord Westbury.

The O'Melaghlins, Kings of Meath.

"Pauvre feuille desséchée, de ta tige détachée
Où vas-tu? Je n'en sais rien,
L'orage a brisé le chêne
Qui seul étoit mon soutien.

"De la forêt, dans la plaine
Je vais où le vent m'amène,
Sans me plaindre ou m'effrayer;
Je vais, où va toute chose,
Où va la feuille de Laurier
Où va la feuille de Rose."

CHATEAUBRIAND.

Lear. A king, a king!
Fool. No, he's a yeoman.

SHAKESPEARE.

THE spoliation of the O'Melaghlins, Kings of Meath, may be considered the first great English confiscation in Ireland. Descended from Conall Crimthine, one of the sons of the renowned Irish monarch, Niall the Great, this royal line assumed from Colman More, the grandson of Conall Crimthine, the *sobriquet* of the Clan-Colman, or Southern Hy-Nialls, as contradistinguished from the Northern Hy-Nialls, the O'Neills and O'Donnells, descendants of Owen and Conall Gulban, two other sons of that monarch. As the "Clan-Colman," or "Southern Hy-Nialls," they were known until the ninth century, when they assumed the surname of O'Maolseachlain, or

O'Melaghlin, from Maolseachlain, or Malachy, the then monarch of Ireland. These Northern and Southern Hy-Nialls exclusively occupied the throne of Ireland, from the fourth to the eleventh century, a period of time which no reigning dynasty can boast of, the Pontiff of Rome alone excepted. They had four royal palaces in Meath, Tara, "of the Kings;" Tailten, "of the Royal Games;" Tiaschtga, and Usneach, of which Ossian sung. But Tara was the most magnificent, as well the palace of the reigning monarch, as the place of assembly of the great Fez, or native Irish Parliament.

The ancient kingdom of Meath was no inconsiderable principality, for it comprised the present counties of Meath and Westmeath, with parts of Dublin, Kildare, King's County, the greater part of Longford, and some small portions of the ancient districts of Brefny and Orgiall on the borders of the present counties of Cavan and Louth.

The early annals of the O'Melaghlins are rich in incident. One of the episodes has been dramatised by Howard, of the Irish Exchequer, in a work of merit entitled "The Siege of Tamor," or Tara. During the wars of the Danes, Turgesius, a very celebrated Danish chief, had established his authority almost throughout the entire kingdom, and towards the close of the ninth century he became so powerful in Meath as to have O'Melaghlin, the king of that territory, at his mercy, and to treat him in the light of a vassal. Conceiving a dishonourable passion for the daughter of the King, Turgesius offered insulting proposals to the father. The outraged parent stifled his indignation, for it was

hopeless to resist, and had recourse to a device to save his daughter's honour, and at the same time rid his country of the Danish tyrant, a device "resembling," as Moore, the Irish bard aptly observes, "in some of its particulars a stratagem recorded by Plutarch in his life of Pelopidas." Malachy answered that he would send his daughter, the Princess of Meath, to the fortress of the Dane the next night, but that, as she was young and timid, she should be accompanied by sixteen of her youthful maiden attendants, and that perhaps Turgesius might select one of them and spare the princess, the King's only child. At the time appointed the Dane had a grand banquet, composed of sixteen of his principal officers, to each of whom, during the carouse, one of the attendants of the Princess was assigned.

At length a messenger having informed Turgesius that the Royal maiden and her female companions were outside the fortress, the guests, by his direction, retired, lest their presence might alarm the ladies. Splendidly attired in the costume of the day, the Princess and her companions entered the banquet-hall, and Turgesius had scarcely time to offer the first expression of his revolting love, when the robes of her companions were cast aside, and displayed sixteen youthful armed warriors, who seized, gagged, and bound the Dane, and rushing into the adjoining apartment, dispatched his chiefs. The King of Meath himself, with a chosen body of troops, was close at hand, and rapidly possessed himself of the fortress, allowing the Danish troops no quarter. The fame of this gallant and remarkable exploit gave courage to the Irish, and struck the invaders with dismay. On the following morning, Tur-

gesius himself, loaded with chains, was cast into Lough Uair (supposed to be Lough Hoyle) in Westmeath.

O'Melaghlin then assumed the monarchy, and attacked the Danes in every direction; but, successive swarms having arrived by sea, the contest between them and the natives was fierce and protracted, and extended long after the death of the gallant Malachy. Another Malachy, the descendant of O'Melaghlin, a brave and warlike prince, who reigned at the close of the tenth century, had a long and deadly struggle with the Danes, and when exhausted in his heroic efforts to free his country from those cruel and merciless foreigners, he was deposed by Brian Boru, King of Munster, ancestor of the O'Briens, who usurped the throne, and broke up the ancient dynasty. At Brian's death, however, at the battle of Clontarf, in the year 1014, the aged Monarch, King Malachy, assumed the sceptre and followed up that memorable victory by pursuing the Danes to the very gates of Dublin, and assailing them on all points. After his death, in the year 1022, successive princes of the rival houses of O'Brien and O'Connor of Connaught contested for the sovereignty, but ultimately a gallant prince of the Hy-Nialls, Murtough M'Neill, crushed their pretensions and restored the old royal race, which terminated at his decease in 1168, one year preceding the coming of the English, and with him fell the native Irish monarchy, for Roderick O'Conor, King of Connaught, who assumed the sovereignty after King Murtough, and afterwards surrendered it to the English, was but partially acknowledged by the states of the kingdom, and though popularly called the last King of Ireland, was not so in reality—the gallant Murtough

MacNeill, the "Irish Hector," as he was called, having occupied that position.

Another episode in the history of the O'Melaghlins, Kings of Meath, which has formed many a fruitful theme for bard and senachie, was the elopement with Dermod MacMurrogh, King of Leinster, in the middle of the twelfth century, of the Princess Devorgoil, wife of O'Rorke, Prince of Brefny, and daughter of O'Melaghlin, King of Meath. To this false step of the frail, and, as she has been called, lovely Princess of Brefny, has been attributed the arrival of the Anglo-Normans in Ireland, upon the invitation of her guilty and banished lover, King Diarmid; but, alas! rigid historic evidence has stripped this story of all its romance. Hanmer has shown that the fair and lovely Devorgoil—the "false young one" of Moore's melodies, in the famous song of "The Valley lay smiling before me"—was forty-four years of age, and exceedingly plain, when she went off with Dermod MacMurrough; and the event took place fourteen years before the arrival of the English!

The success of the Anglo-Norman arms in Ireland was more immediately felt by the native princes and chiefs inhabiting the districts adjoining Dublin. In 1172 Henry the Second despoiled Murchard O'Melaghlin of his kingdom of Meath, and granted it to Hugh De Lacy, who was appointed Lord Palatine of the territory. De Lacy divided it among his various chiefs, who were commonly called "De Lacy's Barons;" these were: Tyrrell, Baron of Castleknock; Nangle, Baron of Navan; De Misset, Baron of Lune; Phepoe, Baron of Skrine; Fitz-Thomas, Baron of Kells; Hussey, Baron of Galtrim; Fleming, Baron of Slane; Dullard, or Dollard, of Dul-

lenvarty; Nugent, Baron of Delvin and Earl of Westmeath; Tuite, Baron of Moyashell; Robert De Lacy's descendants, Barons of Rathwire; De Constantine, Baron of Kilbixey; Petit, Baron of Mullingar; Fitz-Henry of Magherneran, Rathkenin, and Ardnorcher. To some of these there succeeded the De Genevilles, Lords of Meath; the Mortimers, Earls of March; the Plunkets, of Danish descent, Earls of Fingall, Barons of Dunsany and Louth; the Prestons, Viscounts Gormanston and Tara; the Barnewalls, Barons of Trimleston and Viscounts Kingsland; the Nettervilles, Viscounts Netterville of Dowth; the Bellews, Barons of Duleek; the D'Arcys of Platten, Barons of Navan; the Cusacks, Barons of Culmullen; and the FitzEustaces, Barons of Portlester. Some of these again were succeeded by the De Baths of Athcarn, the Dowdalls of Athlumney, the Cruises, the Drakes of Drake Rath, and numerous others.

Thus fell the O'Melaghlins as Kings of Meath, and with them their lords or tributary chiefs, the MacGeoghegans, O'Haras, O'Regans, O'Rorys (*Anglicè* Rogers), the MacUais (MacEvoys), O'Caseys, O'Hanrahans, and numerous others, whose lands passed into the hands of the invaders, and their descendants were thus left to struggle for centuries after, under adverse circumstances. They are now chiefly tillers of the soil of which their fathers had been lords and chiefs.

The succeeding history of the O'Melaghlins would be but a repetition of the sad story of the old Milesian races, and need only be glanced at. Their fall, however, was not sudden, but gradual; they struggled bravely on, though unsuccessfully, against the common

enemy, who dexterously set one chief of their house against another, and thus paved the way for the more easy subjugation of all. In the reign of Henry the Eighth they had still retained considerable power and preserved a large territory. In the year 1544 we find Cedach O'Melaghlin inaugurated chief of the Clan-Colman or South Hy-Niall race. But in 1548 Teige Roe O'Melaghlin brought Edmond Fahy, *alias* White, into Delvin against his enemies; but Fahy turned on O'Melaghlin, and in King Henry's name, to use the language of the Four Masters, "dispossessed and expelled himself and all his race from Delvin, and drove him from it, as the new swarm of bees drives away the old swarm." Henceforward the O'Melaghlins, Kings of Meath, chiefs of the grand old South Hy-Niall race, almost disappear in Irish history, and present only occasionally a flitting gleam on the surface, as in the war of 1641, and then sink again into the darkness of obscurity.

To complete this brief summary of an illustrious race, and to ascertain particulars of their decadence, I addressed myself to an able and highly-gifted friend, the late Dr. Petrie, whose genius and learning accomplished so much for the history, antiquities, and archæology of Ireland; and I cannot do better than transcribe his reply, which tells, with sympathetic feeling, the story of the misery of a descendant of this right royal line:—

"Dublin, 24th Feb., 1860.

"My Dear Sir Bernard,—Our excellent friend, General Larcom, whose mind is eminently poetical and imaginative as well as solid, has, I fear, led you to

expect, in the particulars of my conversation with him, a more striking and interesting instance of the vicissitudes of fortune in families than the facts will realize. Here, however, they are for you, and given with a sincere pleasure:—

"Let me premise that about thirty years ago the architectural and other ancient remains at Clonmacnoise, in the very heart of Ireland, and up to that time but little known or noticed, excited in my mind a very deep interest—so deep indeed, that I resolved to collect all the information it might be in my power to discover with a view to the compilation of a history of a locality so singularly interesting. As you are aware, Clonmacnoise was the Iona of Ireland, or rather Iona was the Clonmacnoise of Scotland, namely, the place of sepulture of most of the royal families of the country, as the O'Melaghlins, hereditary kings of Meath, and, in alternate succession with the northern O'Neills, kings of Ireland; the O'Conors, kings of Connaught; the Macarthys of Desmond or South Munster; the O'Kellys of Hymanie; the MacDermots of Moylurg, &c., &c., of whom all those I have enumerated, with several others, had erected churches, or mortuary chapels within the cemetery which bore the family names, and within which none but the members of those families respectively were formerly allowed to be interred. Now, as it was a portion of my project to give an historical, as well as a descriptive, account of those churches, it appeared to me desirable to connect with each a genealogical history of the families of the founders, bringing such history as far down to our own times as my researches would allow: and in this way my attention,

and indeed my feelings also were pre-eminently drawn to the family of 'the kings'—*i. e.*, the O'Melaghlins, whose church is still in tolerable preservation, and within which none but those of the name whose ancestors had been so interred from time immemorial, are, to this day, allowed to be buried. I had moreover an additional stimulus to labour ardently on the compilation of their history, namely, a conviction that I should be able to draw a pedigree so amply sustained by authentic historical evidences as no family out of Ireland, however illustrious, and perhaps no other in Ireland, could boast of. Nor was I altogether disappointed with the result of my labour. From the historic annals and various MS. sources, I was enabled to bring down the pedigrees of the five principal branches into which the family had separated, to the commencement of the last century; but I could bring them no further. These five branches were Ballinderry, Fearnocht, Castletown, Castlereagh, and Mullingar. To carry down the pedigree in these several branches as far as might be in my power, and, more particularly, to ascertain, if possible, who might be the present chief of the name, was a natural desire; and so to gratify it I determined to make a visit to Moat, near to which Ballinderry and Fearnocht are situated, and to make it my head-quarters for a few days, while I was engaged in seeking for information amongst the peasantry located in its neighbourhood. The results were not, in many ways, without interest, but the main object of my inquiries was not obtained, and the present representative of the ancient royal family of Ireland is yet to be discovered!

"However, I ascertained satisfactorily that the line

of Art of Balinderry, chief of the name at the commencement of the last century, was extinct. According to the concurrent tradition of the country, he died, without issue, while resident with the family of Daly, or O'Daly, at Castle Daly, near Moat, and with which family he was in some way connected by an intermarriage. Indeed, according to a tradition which I noted, the ancestor of the Dalys obtained property in the county by marriage with an heiress named Grace, or Graine og ni Melaghlin, 'of Moat or some other castle.' This castle was most probably that of Killcliegh, now Castle Daly, which had belonged to the O'Melaghlins; and as the husband was said to have been 'a big trooper in Cromwell's army, but a gentleman,' he was probably the James Daly of Kilcleagh, who, according to an inscription on a tombstone at Clonmacnoise, 'dyed the 18th of January, A.D. 1679.' Art of Ballinderry was said to have been a person of weak mind.

"Having settled this point, my inquiries were next directed to the Fearnocht branch, of which Capt. Murrough, or Morgan, was the chief at the close of the seventeenth century. This Murrough appears to have been regarded as the chief or leader of the Melaghlins during the rebellion of 1641, as I should suppose in consequence of the mental imbecility of his kinsman, Art; for in the catalogue given by De Burgo—Hib. Dom. Supplementum, p. 879—of the nobles and gentlemen who, in 1646, associated with the clergy in repudiating the peace of Ormonde, we find the name of D. Morganus O'Melaghlin, *cum totâ suâ Familiâ*. Of this Morgan and his posterity, as might be expected, the traditions were very vivid, and, in general, accurate. And, to my great

regret, I soon learnt, from the concurrent testimony of various informants, that of his offspring in the male line there existed no representative.

"He left two sons and four daughters. The sons died without leaving issue, and the property of the father was gaveled amongst the four daughters. Of these daughters, all of whom married—the eldest, who was named Bridget, became the wife of John Tyrrell Watt, Esq., and she, it appears, sold her inheritance, in 1748, to Mr. Robert Mulock, in whose posterity it still remains.

"By this marriage, John Tyrrell left a son, Wat, and this Wat left a son, John, and two daughters, namely, Bridget and Margaret. Of these daughters, Bridget became the wife of Mr. Molloy, by whom she had one son, who was living with his father and mother in Athlone at the time when I received this information, which was given to me by persons residing in the vicinity of Moate. But as all my informants stated that I could obtain more precise information respecting the Melaghlin family from Mrs. Molloy, and as I considered her son as, in a way, the representative of the race, I resolved to wait upon the old lady; for a lady I found her to be, though in a very humble position.

"And now, after this unreasonably long, and, as I fear you will consider it, irrelevant preface, I come to the simple anecdote which you asked me for. On my arrival in Athlone, I had no difficulty in finding Mrs. Molloy's residence. It was one of a range of small but decent slated cottages, situated near the end of the town, on the lower road, which enters it on its eastern

or Dublin side. Its shut hall-door was painted green, and had a brightly shining brass knocker, and its two small windows were equally remarkable for their cleanliness. As I had learned that Mr. Molloy kept a school in this cottage, I delayed my visit till after school hours. I then knocked, and the doorway was opened for me by a man tall of stature, finely made, and having a countenance strikingly noble and commanding. He was unmistakably a gentleman.

"On my making known to him my desire to see Mrs. Molloy, he informed me that he would send for his mother, who, as he said, was amusing herself in her little garden; and at his request I entered an apartment which I at once saw was the school-room, the whole of it being occupied by writing desks and forms, except a small space in the centre, which was open to the fireplace. After requesting me, with a cold courtesy, to take a seat which he placed for me near one of the desks, he sate down himself before the fire, and without further words, gave his whole attention to the care of a pot of potatoes which was briskly boiling.

"In a minute or two his mother entered the room, and after I had apologised for my intrusion, and made known the motive and object which had impelled me to take such a liberty, with a pleased look, and much grace of manner, she expressed her readiness to give me all the information she possessed. How copious and accurate this information was will be learnt with surprise when I state that she not only gave me the pedigree of the family from herself up to Captain Murrough, the chief, during the war of 1641, but, with perfect historic accuracy, carried it up for five generations

higher, and could have ascended two more if I had allowed her a few moments to recollect; for, as she said, her memory was beginning to find a difficulty sometimes in calling up names, as she was seventy-six years old. But it was not necessary that I should give the old lady any further trouble in this direction, in which she had already given me so much more information than I required.

"During our conversation, her son remained seated at the fire-place, silent as before, and, as an inattentive observer might have supposed, taking no interest in the subject of our colloquy. But it was not so. The occasional excited expression of his melancholy eye, and the swaying of his head to one side or the other, indicated more than could words the deep emotions by which his heart was agitated. On taking my leave, Mrs. Molloy accompanied me to the hall-door, and on opening it for me we were met by her husband, who, no doubt was coming to his dinner. However, on being introduced to me by his wife, who explained to him the object of my visit, he declined entering, and giving me his company in a walk in the direction of my hotel, he entered speedily into his own history. He was a gentleman by birth and education, and the inheritor of a fair estate. But, after the fashion of Irish gentlemen in his young days, he so far incumbered it in the course of some years, as to be constrained to dispose of it. However, after the discharge of all his debts, about £3,000 remained to him, and with this capital he entered into business as a shopkeeper in Athlone. But he was not successful.

"He had, however, given his son a collegiate educa-

tion, and the profession of a gentleman, that of a physician, which he had himself chosen. But the son was not remarkable for steadiness; for the increasing poverty of his father unsettled his mind, and abandoning his profession, he enlisted as a private in the 4th or Royal Irish Dragoons.

"In this position he conducted himself with the strictest propriety, and was in a short time promoted to the rank of sergeant. But he was not allowed to follow a soldier's career. Though silent as to his own history, he could not prevent the officers from discovering that he was an educated and accomplished gentleman; and when they got his secret from him after some years, they resolved that he should be no longer a soldier, but return to the profession he had abandoned. Accordingly, on being sent for by the colonel one day, he was told that he was a free man; that the officers had bought him out, and had filled a purse, which was then presented to him as a token of their regard, and with a desire to start him anew as a doctor in the vicinity of his birth-place.

"He returned to Athlone and to his profession, and devoted himself to it with so much zeal and humanity —being always at the service of the poor without payment—that he became an object of general esteem and love. No inclemency of weather could prevent his going miles into the country, night as well as day, whenever called for; and, said the father, 'the illness from which my noble son is now suffering, was caused by a wetting which he got in this way, visiting a poor family at night!' Our conversation thus ended: 'He appears to me, Sir,' I said, 'to be seriously ill;' and the

answer was, 'Sir, he is dying! He can't live a month; and he knows it, and I know it.' This was the last I could trace of the Royal Melaghlins.

"Faithfully yours,

"GEORGE PETRIE."

The Maltese Knight's Tale.

. . . . . "Ha! who comes here?
I think it is the weakness of mine eyes
That shapes this monstrous apparition.
It comes upon me!"

SHAKESPEARE.

How often do we find a noble descent terminating in a Knight of St. John of Malta. Even in these pages I have already recorded some instances. Poor Philip D'Auvergne, for one, died a Knight of Malta, and the Duke de Bouillon, who made the settlement in Philip's favour, did so because the only son from whom he could hope to have posterity died a Knight of Malta also. A knighthood of the same order, put an end, in the person of Richard, 3rd Earl Rivers, to the splendid but ill-starred line of Widvile. But of all the extinctions of ancient houses in the chivalry of St. John, that which relates to the last Foulques of Tête-Foulques in Poictou is the most singular and startling. The story is a well-known and a popular French one, but I do not recollect its being anywhere of record in English. Of course I am not prepared to vouch for its supernatural accompaniments and bearings, but I have no reason not to believe that the main facts are true, viz., the unholy duel, the death of the Knight, and the troubled dreams of his conscience-stricken slayer. The best account of

the affair is given by that very able genealogical gossip, Madame de Créquy, in her famous Memoirs, and I therefore follow her in the details I give here.

I should observe that the family of Foulquerre, Fulkques, or Foulques, which spread itself into many branches, was one of the most ancient and distinguished of the old monarchy of France. The name of Foulques was of high note in the Order of St. John. So far back as 1306, Foulques de Villaret was Grand Master of the Order, and many others of his race have at different times wielded with valour and effect the knightly steel of Malta. The Knight of whom I now speak flourished as late as the middle of the last century.

The relater of and principal actor in the scene of Foulques's tragic fate and its results, is Don Luis de Lima-Vasconcellos, Knight of Malta and Grand Prior of Majorca, brother of Don Jaime de Majones de Lima de Sotomajor, Commander of Calatrava, which latter was Spanish Ambassador at Paris from 1747 to 1764. Don Luis' narrative runs thus:—

We Knights were living peaceably together at Malta, when a French ship brought us the Commander de Foulquerre, of the ancient family of the Seneschals of Poitou, the descendant, it is believed, of the first Counts of Angoulême. He had before been at Malta: once to fight the Turks; again to find a Milanese Chevalier, whom he wanted to slay; and, thirdly, to take his oath of obedience, and to pronounce his vows.

The Commander de Foulquerre was always having some serious quarrels. He came this time to solicit the Généralat de Galères, and as he had arrived at the age

of thirty-five years, it was expected that he was more sobered; and, in truth, it could not be said that this great officer of St. Jean was as quarrelsome or as noisy as formerly; but he had become haughty, jealous, imperious, and even factious; he pretended to have more authority than the Grand Master of Malta, or the Grand Priors of France.

The Commander de Foulquerre opened his house, and the younger French Knights frequented it in crowds. We older men and of other countries rarely went there, and we ended by not going at all, as we found the conversation tended to subjects that were of too free a nature, and were consequently displeasing to us.

When the Commander took a walk in the town, he was always seen surrounded by young French "Caravanists" of the Order, whom he conducted down the Strada Stretta to show them the places in that street where he had fought, and to explain to them the cause of his duels. It is necessary to state that a duel is prohibited, and for it there is a severe punishment at Malta, unless it take place in this Strada Stretta, a long narrow street, in which there is not a door to be found, and on which no window opens. The width of the street only admits of two men standing *en garde*, and crossing their swords; they cannot draw back, and their seconds have to stop passers-by, and prevent them interrupting them. Swords alone (which every one, of course, constantly wore) could be the weapons used, for in order to render all but chance rencontres unlikely in the Strada Stretta, whoever walked down that street with pistol or poignard, incurred the penalty

of death. A duel is thus always publicly condemned at Malta, and if privately tolerated there, it is not looked on, as it may be elsewhere, as very honourable. Among the Knights of Malta, a duel is always spoken of with shame, as an attempt contrary to the character of a Christian, and as a foul, and especially unrighteous act, if occurring in the streets of a town belonging to a religious and charitable order.

The promenades and lounging which the Commander Foulquerre and his French companions indulged in, in the Strada Stretta, were then very ill-timed. The very character of the place had the bad effect of rendering the French Knights susceptible and offensive. The Spanish Knights consequently increased in reserve and in serious intent to put a stop to the French system of irritation. They assembled at my house to consult with me on the means of checking fits of petulance and frivolity, which became intolerable.

I thanked my countrymen for the confidence they had honoured me with, and the result of our meeting was that I undertook to speak on the subject to the Commander Foulquerre, and to represent to him that the conduct of the young Frenchmen was improper, and that he could stop the abuse by the very weight of the high consideration which they had for him. Yet, in agreeing to do this, I instinctively felt that my explanation with the Commander, whatever caution I might use, could not terminate otherwise than in a duel. Nevertheless, as this affair interested Castilian dignity, I was not sorry for being chosen to support our cause—indeed, I believe I was induced to meddle, from a kind of natural antipathy I had for the Frenchman.

It was passion week, and it was arranged to delay my interview with the Commander till a fortnight after Easter. I have always believed that he knew all that passed at my house, and that he was resolved to forestall us in having a quarrel with me.

Good Friday arrived. You know that according to the Spanish custom if one has a particular friend, a lady, one follows her on that day from church to church to present her as she enters and departs from each with holy water. On that, for me eventful Good Friday, I attended a Maltese young lady, to whom I was platonically, but sincerely, attached for many years. Well, the very first church she entered, the Commander accosted her familiarly and tendered to her the holy water, placing himself between us in a manner so as to turn his back to me and to tread upon my feet. This was remarked by the Frenchmen near, and could not remain unpunished.

In going out of the church I accosted Monsieur calmly, asking him at first the news, then in what church he intended going to make his second station. "I intend going to the Church of St. Jean," said he. I proposed to conduct him the shortest way. I was astonished to hear him reply to me in the politest manner thus: "I shall be delighted to follow the steps of your illustrious seigneurie." I thanked him pointedly and very courteously for his readiness and civility. I conducted him, as he might well know, to the Strada Stretta, where I eagerly drew my sword, being fully assured that no one would come and interfere on such a day, everybody being occupied at church.

The Commander exclaimed, "What! Signor Com-

mandador, you draw your sword?" "Yes, Monsieur le Commandeur, I draw my sword. I am *en garde*, and I wait you." After a minute or two he unsheathed his weapon, but he turned the point to the ground. "Good Friday!" said he, "it is six years since I have approached a confessional. I am alarmed at the state of my conscience; but, if you will allow me, three days hence let it be—that is to say, Monday morning."

I would listen to nothing, and I insisted on his confronting me. I am naturally quiet, and you know that persons of that temperament will not listen to reason when they are irritated. Terror was marked in all his features. He placed himself close against the wall, as if he had been falling down, and as if he sought a support. The fight began. At the first lunge I made I passed my sword through his body. He sunk by the wall, and said to me in a faltering voice, "Good Friday! May heaven forgive you! Carry my sword to Têtefoulques, and have a hundred masses said for the repose of my soul in the chapel of the château." With these words the Commander expired. I did not at the moment pay great attention to what he said, and if I repeat his words correctly now, it is because I have unfortunately heard them many times since. I made a declaration, and the Chapter considered it natural, our having both met in the Strada Stretta, that our national hostility and, perhaps, the difficulty of giving place to each other had ended in a serious quarrel. I may, in fact, say that before men my duel did me no harm. Foulquerre was generally detested, and it was everywhere observed that he merited his destiny; but it was not so before God, for my deed was doubly criminal, in

consequence of Good Friday, and above all, on account of my refusal in granting the delay of three days, that he might receive the sacraments. My conscience, awakened by my confessor, was not slow in cruelly reproaching me. The sad deed hung still more heavily on me, from the fact that in three days after it, our eminent Grand Master had the goodness to invest me with the dignity of Prior of the kingdom of Majorca, which high post I hold to this day.

In the night of the Friday following my nomination, I was suddenly awakened. I looked around me, and it seemed that I was neither in my apartment nor my bed, but in the Strada Stretta, and lying on the pavement. I perceived the Commander resting against the wall. The spectre, with the appearance of much effort, spoke to me. "Carry my sword to Têtefoulques," said he, in a faltering voice, "and have a hundred masses said for the repose of my soul in the chapel of the château."

The following night I made one of my criados, or attendants, sleep in my room. I neither saw nor heard anything, not even for six nights after, but on that of Friday I had again the same vision, with the only difference that my valet appeared to sleep at some distance from me, on the pavement of the Strada Stretta. The Commander appeared to me as usual: he said the same words, and thus the horrid vision of the slain man came again and again, and repeated them successively every Friday night. Ay, Friday after Friday, would my eyes stare upon the spectre, and my ears draw in his injunction, "Carry my sword to Têtefoulques, and have a hundred masses said for the repose of my soul in the chapel of the château." My criado meanwhile

would dream that he was lying in a very narrow little street, but he neither heard nor saw the Commander.

I did not know where Têtefoulques was, where the deceased absolutely desired that I should carry his sword. The Chevaliers Poitevîns informed me that it was an old mansion, four leagues from Poitiers, in the centre of a forest, of which extraordinary things were related, and where many curious objects were seen, particularly the armoury of the famous Foulques Taillefers, containing the arms of all the warriors of the house who had been slain. They informed me also that the ancient custom of all of the house of Foulquerre had been to deposit there the arms they had used, whether in war or in single combat.

On arriving at Poitiers, I found that they had been informed of the death of Monsieur De Foulquerre, and it appeared that he was not more regretted there than at Malta. I left my carriage in the town, and I disguised myself as a pilgrim, and took a guide. It was necessary for me to go on foot as far as Têtefoulques, as the road was impracticable for carriages. We found all the doors of the château closed, and we rang for some time at the principal door before the porter appeared. He was the only inhabitant of Têtefoulques except a kind of hermit, who attended to the chapel. We found the two engaged in singing the service of the dead, which appeared to me to add to the sadness of the place. When they had finished chanting, I told them that I had come to accomplish an obligation of conscience, and that I intended to make the hermit say a hundred masses for the repose of the soul of the Commander. He replied that he never said mass, because he was not in holy

orders, but he would undertake to get the masses said in acquittance of my conscience.

I laid, in offertory for the masses, a sum upon the altar, and I wished also to put the Commander's sword there; but the hermit said to me, in a melancholy tone, that it was not the place for a sword so murderous and so often plunged in Christian blood; and he advised me to take it to the great hall, called the armoury, where he never entered. The porter added, that in the armoury I should see placed all the swords of the deceased Foulquerres, with those of their adversaries over whom they had triumphed; that such was the established custom since the time of Mellusine, and her husband, the Count de Poitou, Geoffrey with the big tooth. I followed the porter into the armoury, and there I found swords of all dimensions and shapes and of all ages, also curious portraits, commencing with that of Foulques Taillefer, Comte d'Angoulême, who had built the Château de Têtefoulques for an illegitimate son, Meinzier, who was created Seneschal of Poitou, and who became the source of the race of the Foulquerres of Têtefoulques.

The portrait of the Seneschal, and that of his wife, Isabeau de Sainte Hermine, were placed on each side of an immense chimney-piece. They had the greatest air of truth. All the other portraits appeared to me of equally good execution, although they were by Gothic artists; but the most striking was that of Foulques Taillefer, armed with various implements of war, and bearing his round shield, which was emblazoned with three leopard lions, mournful and defamed (apparent signs of bastardy). The greater number of the swords

in the armoury were united and adjusted in trophies under this portrait.

As that hall was the only room in the château which I found of habitable appearance, I asked the porter if he would light a fire in it for me before he gave me supper, and make me a bed. "As regards supper, I will do that willingly, my good pilgrim," he replied; "but I advise you to come and sleep in my room."

I wished to know the motive for this precaution. "I have my reasons," he continued. "I will readily make you a bed near mine." I accepted the proposition more willingly because it was Friday, and I feared the return of my vision.

The porter of Têtefoulques went to arrange my supper, and I began by examiuing the armoury and the portraits of the Foulquerres. As soon as day had declined, the dingy draperies became united with the groundwork of the pictures, and the fire from the chimney allowed me only to see the faces, which gave them a frightful appearance. Perhaps they appeared to me thus, because the state of my conscience caused me continual trouble.

At last the porter brought my supper, which, pursuant to Friday's abstinence, consisted of a dish of trout, with some lobsters, which he had had caught in the ponds at the chateâu; he furnished me, besides, with a bottle of wine, drinkable and passable enough, even though he told me it was the wine of Poitou. I should have begged the hermit to sit at table with me, but he lived on herbs and roots boiled in water only.

I was always very exact in reading my breviary, which is ever the custom, and also an obligation, among

professed Chevaliers of our sacred order, and among Spanish Knights particularly.

I took then my book from my pocket, also my rosary, and I said to the porter that he had only to show me the chamber where I should find him again when I had finished my prayers. "Very good," replied he; "when you hear the hermit ring his bell in taking his round in the corridor before midnight, you can descend by that winding staircase, and you will not fail to find my room, of which I will leave the door open—it is the sixth door after the great arch on the third landing of the staircase. You enter there in a vaulted alley, which terminates by an arcade with a statue of the blessed Jean of France; you cannot mistake it, and I advise you not to remain here after midnight."

The porter left, I continued by devotions, and from time to time I put wood on the fire; but I did not dare to look around me. The pictures seemed to become animated, and if I looked at one for a few minutes it appeared to me to move the eyes and lips, and particularly the portraits of the Chief Seneschal and his wife moved their eyes as if angry with we, and having an understanding between themselves. A frightful wind increased my fears, it shook all the window-frames violently, and agitated the sets of armoury with a kind of chink, in sound supernatural. At last I heard the hermit's bell, and I descended the winding staircase with a light that the wind quite blew out before I discovered the arcade, the niche, and the figure of the blessed Jean de France. I ascended immediately to the armoury to light my end of candle there; but judge what I felt when I perceived the Seneschal and the

Lady Seneschal had descended from their frames, and had placed themselves in the corner of the fireplace.

"My dear," said the Seneschal, "what think you of the extreme impudence of this Castilian, who comes to bed and board in my château after having killed the Commander, without allowing him the means of confessing his sins?"

"Sir," replied the female spectre, "my advice is that this Castilian pay forfeiture for that meeting, and truly it would not be the thing that he should go away from this without having the glove thrown at him."

I gave up lighting the candle, but leaped down the staircase again to seek the porter's chamber, which was impossible for me to find in the midst of darkness. After an hour and a half's attempt and mortal anxiety, I endeavoured to persuade myself that the day was fast approaching, and it was time for the cock to crow, which would leave me without any anxiety; for it is well known that ghosts would not show themselves after the first crow of the cock. I tried, above all, to persuade myself that what I had believed to have seen and heard speak, had only existed in my troubled imagination. I still held in my hands my extinguished candle, which I must absolutely light again to help me to bed; I was indeed overcome with fatigue. At last I re-ascended this unfortunate staircase with stealthy strides, and stopping at the door of the armoury with precaution, I found that in reality the two gothic figures were not in the corner of the fireplace where I had seen them. I had not the prudence and precaution to look if they had again mounted into their frames. I ventured fearlessly in directing myself to the side of the chim-

ney; but scarcely had I made a few steps than I saw Messire Foulques in the middle of the hall. He was in fighting attitude, and presented the point of his sword at me. I tried to return from the side of the staircase, but the door was guarded by the figure of an Esquire, who rudely threw an iron gauntlet into my face. The irritation of this mastered all other feeling. I seized a sword that I took from the trophies of arms. It happened to be that of the Commander that I had placed there. I fancied that I ran it through my opponent; but as suddenly I felt at the back of my heart a stab that burnt me as if it had been a red-hot iron; my blood covered the hall, and I fainted.

I awoke the following morning in the porter's little room—not seeing me arrive, he took his vessel of holy water and came in search of me. He found me stretched on the floor of the armoury insensible, but without a single wound. That which I had imagined I had received was nothing more than a fancy. The porter and the hermit put no questions to me, but they advised me to quit the château as soon as possible. I left Têtefoulques to return to Spain, and I arrived at Bayonne the following Friday. In the middle of the night I was suddenly awakened by the same Foulques Taillefer, who directed towards me the point of his sword. I made the sign of the cross, and the spectre appeared to vanish in smoke; but I did not feel the less the same stab from the sword that I had imagined I had received in the armoury. It appeared to me that I was weltering in my blood. I tried to call and to get out of my bed to seek for help, but it was impossible for me to do either. The agony lasted till the first crow of the cock—then I went to sleep

again; but the following day I was ill and in a pitiable state. I have the same vision each Friday. Acts of devotion have not delivered me from the horrible spectral intruder, and it is only my trust in the Divine mercy that still supports me and makes me endure so lamentable an existence.

The Widvilles.

"Thou shalt get kings, though thou be none."
SHAKESPEARE.

. . . . . "Rivers Grey,
Untimely smothered in their dusky graves."
SHAKESPEARE.

AMONG the vicissitudes of English families, none are more remarkable than the changes of fortune experienced by the Wydevilles, Woodvilles, or Widvilles of Northamptonshire. Country gentlemen in the first instance, of that county of Northampton, which is so replete in gentle blood, that Norden has termed it "the Herald's Garden," the Widvilles suddenly rose to be statesmen and nobles—to be not only puissant princes, but the kinsmen and progenitors of monarchs—to be, in fine, a stem from which descends, through a line of sovereigns, the present gracious Queen of these realms. Like Banquo, Widville might be murdered; nevertheless his issue was to be kings—the seed of Widville, kings. The only difference is, that the imperial theme was to be told of the male line of Banquo, but of the female line of Widville. The masculine stem of the Widvilles sunk as rapidly as it rose. The last Widville, within but fifty years from their elevation to the peerage, died an obscure Knight Hospitaller of St. John, and with him their very name has perished. I know of

no family throughout these realms called Widville now. Their history, at one time part of the history of England, is worthy of re-consideration, and suggests much reflection on the vanities of human greatness.

Temp. Edward III., the Widvilles were quiet gentry in Northamptonshire. Their respectability was, in the thirty-seventh year of that King's reign, rewarded with some county honours. The Richard de Wydevill of that day become sheriff of Northamptonshire, governor of the castle there, and escheator of the counties of Northampton and Rutland. His son John filled the same offices under Richard II., and must have rendered some signal service to Richard's enemy, the usurper Henry IV. The light of Lancastrian favour fell specially on this John Wydville's grandson, Sir Richard de Wideville, in whose person were achieved the high fortunes of his house, and whose blood was to mingle with the blood royal of England. Henry VI. made him Governor of the Tower, and knighted him at Leicester. In Shakespeare's First Part of Henry VI., we see him mentioned as "Woodville, Lieutenant of the Tower." He then went again to France, and fought gallantly under Talbot and Bedford. The death of the latter was the pivot on which his future success turned. Widville proposed for the Duke's widow, Jacqueline of Luxemburg, daughter of Pierre, Count de St. Pol and Brienne, and he wedded her so quickly that he did not wait for the necessary legal permission of the Crown; for which transgression, and for the livery of the castles, manors, and lands constituting her grace's dower, he paid a fine of a thousand pounds. He continued his services in France, under Richard, Duke of York, and then, in all

probability, he lost some of his distaste for the white rose. He was raised to the peerage, by letters patent, dated the 9th May, 1448, as Baron Rivers. His Lordship was further rewarded by grants from the Crown, amongst which was the manor of Westhall, in the county of Essex. He was dubbed a Knight of the Garter, and made Seneschal of Acquitaine. In the contest between the houses of York and Lancaster, Lord Rivers at first stanchly supported the latter. But an event—another marriage—was to make him swerve in his fidelity, and to put him on the acme of prosperity. His daughter Elizabeth lost her husband, Sir John Grey, Lord Grey of Groby, fighting on the Lancastrian side, and she went to reside, a beauteous widow, with her father at Grafton, in Northamptonshire. Edward IV., hunting near the house, came to it to pay a visit to Elizabeth's mother, his kinswoman, the Dowager Duchess of Bedford, and here he saw Elizabeth, and was so dazzled with her beauty, that he risked throne, friends, all, to marry her. Elizabeth accordingly became his consort, and her father thereupon abjured his Lancastrian predilections; he quickly grasped from the Yorkist party the highest honours, and the highest offices. He was Treasurer of the Exchequer, and Constable of England, for life, with remainder to his son, Anthony, Lord Scales, also for life. He was advanced in the peerage to be Earl Rivers on the 24th May, 1466. Scarcely three years after this, with that rapid change of fortune peculiar to the Widville race, the new Earl was murdered. In a temporary rising of the Lancastrians, his Lordship's manor house of Grafton was attacked by one Robin of Ridsdale, who led the

revolt; and the Earl himself, and his son John, were made prisoners; they were carried to Northampton, and there their heads were cut off. The King-maker, Warwick, and his brother Montague, and the royal Duke of Clarence, were suspected to be the instigators of this foul killing of Rivers; Edward IV. was never satisfied till he had avenged it upon them—even to the slaying of his brother Clarence. Edward, too, to mark his regret, heaped honour upon honour in dignities for the sons, and alliances for the daughters, on the progeny of Earl Rivers. Yet all this was done in vain; for, with few exceptions, beyond the royal result of the marriage of Earl Rivers' grand-daughter, Elizabeth, with Henry VII. (and that even, as regarded her personally, was an unhappy union), misery and extinction appear to have fallen upon nearly the whole race. The following table of their descent is a melancholy picture of their baffled greatness and singular perversity of ill luck. Earl Rivers, by his wife, the Duchess of Bedford, had issue,

I. Anthony, his successor, who married Elizabeth, widow of Henry Bourchier, and daughter and heiress of Thomas, Lord Scales, in whose right he was summoned to parliament as Baron Scales, from 22nd December, 1462, to the 23rd of the ensuing February: he, as shewn below, was beheaded.

II. John, who, as above stated, was put to death with his father.

III. Lionel, Bishop of Salisbury, who held the see but two years, and died in 1485.

IV. Edward, died *s.p.*

V. Richard, who succeeded his eldest brother in the honours of the family, and ended them.

I. Elizabeth, *m.* first, to Sir John Grey, Lord Grey of Groby, killed in battle, by whom she had issue,

Sir Thomas Grey, created Marquess of Dorset, great-grandfather of the unfortunate Lady Jane Grey: his Marquisate

became extinct at the attainder of his grandson, the third Marquess, and Duke of Suffolk, who was beheaded in 1554.

Sir Richard Grey, beheaded in the first year of Richard III.

Lord Grey fell in the second battle of St. Albans, fighting under the Lancastrian banner, and her ladyship married secondly, King Edward IV., by whom she was mother of

EDWARD, Prince of Wales. } The unhappy children, supposed to have been murdered in the Tower.
RICHARD, Duke of York. }

Elizabeth, contracted to the Dauphin, and *m.* to King Henry VII., with whom she lived unhappily.

Cecily, contracted to James III., King of Scotland, but *m.* to John, Viscount Welles; death took him and her only daughter from her very soon after the marriage. She was *m.* secondly, to Sir John Kyme.

Anne, contracted to Philip, only son of the Duke of Burgundy, but *m.* to Thomas Howard, Duke of Norfolk: her death saved her from sharing in the misfortunes of her husband.

Katherine, contracted to John, son of the King of Arragon, but *m.* to William Courtenay, Earl of Devon, and was mother of

Edward Courtenay, Marquess of Exeter, beheaded 1539, and grandmother of Edward Courtenay, Earl of Devon, who was supposed to have been poisoned at Padua.

II. Margaret, *m.* to Thomas Fitz-Alan, Earl of Arundel: her grandson, oft a prisoner in the Tower, saw his only son die before him, and was the last male of his line.

III. Anne, *m.* first, to William, Lord Bourchier, eldest son of Henry, Earl of Essex, who died in his father's lifetime, and her son by him was killed by a fall from his horse, and was the last male of his line. She was *m.* secondly, to George Grey, Earl of Kent, by whom she had a son Richard, Earl of Kent, who took to gaming, became a great dicer, a deep drinker, and a thoroughly worthless fellow; he dissipated his whole estate, and was at last found dead on the bench of a low inn in London; Anne was *m.* thirdly, to Sir Anthony Wingfield, Knt.

IV. Jacquetta, *m.* to John, Lord Strange, of Knokyn.

V. Mary, *m.* to William Herbert, Earl of Huntingdon, who was to have married Richard the Third's daughter Katherine, but

she died young. This Mary, Countess of Huntingdon, was more fortunate than the rest of her race; for, though she gave no son to her husband, and his earldom became consequently extinct, her only daughter was Countess of Worcester, and ancestress of the present Ducal house of Beaufort.

VI. Katherine, *m.* first, to Henry Stafford, Duke of Buckingham, beheaded by Richard III., by whom she was mother of Edward, Duke of Buckingham, beheaded by Henry VIII., 1521: with him sunk for ever the splendour, princely honours, and vast wealth of the Staffords. She was *m.* secondly, to Jasper Tudor, Duke of Bedford; and thirdly, to Sir Richard Wingfield, K.G.

VII. Another daughter, who is stated by Dugdale to have *m.* Sir John Bromley, Knt., son of the renowned Sir John Bromley, who recovered the standard of Guyen, in the memorable battle of Corby, against the French.

The melancholy death of Lord Rivers occurred in 1469, and he was succeeded by his eldest son, ANTHONY WIDVILLE, Lord Scales, as second Earl Rivers, another victim of much misfortune. This nobleman, when Lord Scales, in the beginning of the reign of Edward IV., marched with the King into the north against the Lancastrians, and was one of the principal commanders at the siege of Alnwick Castle. He was soon afterwards made a Knight of the Garter, and he obtained a grant in tail of the Isle of Wight; his lordship about this period acquired great fame in a tournament at London, wherein he contested successfully with Anthony, the *Bastard of Burgundy*, brother of Charles, Duke of Burgundy. But this affair, and his career before it, are so well told by Horace Walpole, in his "Royal and Noble Authors," that we cannot do better than quote the account:—"There flourished," writes Walpole, "at the same period as the Earl of Worcester, a noble gentleman, by no means inferior to him in learning and politeness;

in birth his equal; by alliance his superior; greater in feats of arms, and in pilgrimages more abundant. This was Antony Widville, Earl Rivers, Lord Scales and Newsells, Lord of the Isle of Wight; Defenseur and Directeur of the Causes Apostolique for our holy Father the Pope in this realm of England, and uncle and Governour to my Lord Prince of Wales.

"He was son of Sir Richard Widville, by Jaqueline of Luxemburg, Duchess-dowager of Bedford, and brother of the fair Lady Gray, who captivated that monarch of pleasure, Edward the Fourth. When about seventeen years of age, he was taken by force from Sandwich, with his father, and carried to Calais by some of the opposite faction. The credit of his sister, the countenance and example of his Prince, the boisterousness of the times, nothing softened, nothing roughened the mind of this amiable lord, who was as gallant as his luxurious brother-in-law, without his weaknesses; as brave as the heroes of either Rose, without their savageness; studious in the intervals of business, and devout after the manner of those whimsical times, when men challenged others whom they never saw, and went bare-foot to visit shrines in countries of which they had scarce a map. In short, Lord Antony was, as Sir Thomas More says, 'Vir, haud facile discernas, manuve aut consilio promptior.'

"He distinguished himself both as a warrior and a statesman. The Lancastrians making an insurrection in Northumberland, he attended the King into those parts, and was a Chief Commander at the siege of Alnwick Castle, soon after which he was elected into the Order of the Garter. In the tenth of the same reign

he defeated the Duke of Clarence and Warwick in a skirmish near Southampton, and prevented their seizing a great ship, called 'the Trinity,' belonging to that Earl. He attended the King into Holland on the change of the scene, returned with him, and had a great share in his victories, and was constituted Governor of Calais, and Captain-general of all the King's forces by sea and land. He had before been sent ambassador to negotiate a marriage between the King's sister and the Duke of Burgundy, and in the same character concluded a treaty between King Edward and the Duke of Bretagne. On Prince Edward being created Prince of Wales, he was appointed his governor, and had a grant of the office of Chief Butler of England; and was even on the point of attaining the high honour of espousing the Scottish princess, sister of King James the Third; the Bishop of Rochester, Lord Privy Seal, and Sir Edward Widville being despatched into Scotland, to perfect that marriage.

"A remarkable event of this Earl's life was a personal victory he gained in a tournament over Antony, Count de la Roche, called the Bastard of Burgundy, natural son of Duke Phillip the Good. This illustrious encounter was performed in a solemn and most magnificent tilt, held for that purpose in Smithfield. Our Earl was the challenger; and from the date of the year, and the affinity of the person challenged, this ceremony was probably in honour of the aforementioned marriage of the Lady Margaret, the King's sister, with Charles the Hardy, last Duke of Burgundy. Nothing could be better adapted to the humour of the age, and to the union of that hero and virago, than a single combat between two of their near relations. In the Biographia

Britannica is a long account, extracted from a curious manuscript of this tournament, for which letters of safe conduct were granted by the King, as appears from 'Rymer's Fœdera;' the title of which are, 'Pro Bastardo Burgundiæ super punctis armorum perficiendis.'

"At these justs, the Earl of Worcester (beforementioned) presided as Lord High Constable, and attested the Queen's giving The *Flower of Souvenance* to the Lord Scales, as a charge to undertake the enterprise, and his delivery of it to Chester Herald, that he might carry it over to be touched by the Bastard, in token of his accepting the challenge. This prize was a collar of gold, with the rich flower of Souvenance enamelled, and was fastened above the Earl's knee by some of the Queen's ladies. On the Wednesday after the Feast of the Resurrection, the Bastard, attended by four hundred Lords, Knights, Squires, and Heralds, landed at Gravesend; and at Blackwall he was met by the Lord High Constable, with seven barges and a galley full of attendance, richly covered with cloth of gold and arras. The King proceeded to London; in Fleet Street the champions solemnly met in his presence; and the palaces of the Bishops of Salisbury and Ely were appointed to lodge these brave sons of holy church; as St. Paul's Cathedral was for holding a chapter for the solution of certain doubts upon the articles of combat. The timber and workmanship of the lists cost above two hundred marks. The pavilions, trappings, &c., were sumptuous in proportion. Yet, however weighty the expense, the Queen could not but think it well bestowed, when she had the satisfaction of beholding her brother victorious in so sturdy an

encounter; the spike in the front of the Lord Scales's horse having run into the nostril of the Bastard's horse, so that he reared on end, and threw his rider to the ground. The generous conqueror disdained the advantage, and would have renewed the combat, but the Bastard refused to fight any more on horseback. The next day they fought on foot, when Widville again prevailing, and the sport waxing warm, the King gave the signal to part them.

"Earl Rivers had his share of his sister's afflictions as well as of her triumphs; but making a right use of adversity, and understanding that there was to be a jubilee and pardon at St. James's in Spain, in 1473, he sailed from Southampton, and for some time was full virtuously occupied in going of pilgrimages to St. James in Galice, to Rome, and to Saint Nicholas de Bar in Puyle, and other diverse holy places. Also he procured and got of our holy Father the Pope a great and large indulgence and 'grace unto the chapel of our lady of the Piewe by St. Stephen's at Westmenstre.'

"The dismal catastrophe of this accomplished Lord, in the forty-first year of his age, is well known:

> 'Rivers, Vaughan, and Grey
> Ere this lie shorter by the head at Pomfret.'"

But, audi alteram partem. In the Life of Richard III., by Caroline A. Halsted, one of the best histories ever written by a female hand, the fair and able author (a determined defender of King Richard, it should, however, be observed) detracts much from the *couleur de rose* character of Earl Rivers, by Walpole. Miss Halsted speaks thus of the Earl:—

"Lord Rivers, having been removed from his prison at Sheriff Hutton, was there, on the 23rd June, 1483, tried and executed by the Earl of Northumberland, that peer acting both as judge and accuser. However harsh this proceeding may appear, it is clear that this unfortunate nobleman was himself satisfied that his sentence was conformable to the proceedings of the age, and had been merited by his own conduct. That he had confidence also in the Protector's justice, although he entertained no hope of awakening his mercy, is likewise shown by the annexed conclusion to his will, dated at Sheriff Hutton, 23rd June, 1483: 'Over this I beseech humbly my Lord of Gloucester, in the worship of Christ's passion and for the merit and weal of his soul, to comfort, help, and assist, as supervisor for very trust of this testament, that mine executors may with his pleasure fulfil this my last will.'

"The commiseration ordinarily expressed at the violent end of Anthony, Earl Rivers, has arisen in great measure from the lamentations bestowed upon him by Caxton, whose first book (from the English press) with the date and place subjoined, was a work of this nobleman's, entitled 'Dictes or Sayings of Philosophers,' the MS. of which, elaborately illuminated, represents Edward IV., his son, and the Queen, and Earl Rivers in the act of offering his work to the King, accompanied by Caxton. But this accomplished nobleman, although learned, chivalrous, and excelling his compeers in the more graceful attainments of the age, was by no means free from the vices which characterised his family, and the times in which he lived. He was universally unpopular, from the selfish and covetous ambition which marked

his political conduct during the ascendancy of his royal sister. He was the cause of King Edward's committing to the Tower his 'beloved servant' Lord Hastings. He instigated the Queen to insist on the Duke of Clarence's execution. He grasped at every profitable or powerful appointment in King Edward's gift; and would, there can be no doubt, have sacrificed the Duke of Gloucester to his insatiable ambition, had not the prince, from intimation of his designs, felt justified, in accordance with the relentless custom of that period, in committing him to prison, and commanding his execution."

Miss Strickland, in her "Lives of the Bachelor Kings of England," somewhat corroborates the fact that Rivers was not altogether the immaculate character generally supposed. According to her, his want of sobriety was the cause of his being easily entrapped by the crafty Duke of Gloucester and his minion Buckingham, at that eventful moment of the accession of his nephew, Edward V., when all depended on his sagacity, caution, and care.

"Lord Rivers," writes Miss Strickland, "entered Northampton, and found it swarming with the Duke of Gloucester's northern cavalry, besides nine hundred retainers of Buckingham, each wearing the well-known badge of the Stafford knot. There were three inns in Northampton market-place. Joining each other, Gloucester and Buckingham had just taken up their quarters at two, the nns situated at each extremity, leaving the middle vacant, like an empty trap, set for the nonce, in which Rivers secured his lodging for that night. Immediately afterwards, his brother-in-law, Buckingham, visited him in his quarters, entering with open arms, and

the exclamation of 'Well met, good brother Scales.' And withal 'he wept.'

"The fraternal embracings between Rivers and the husband of his sister Katherine were scarcely over, when Gloucester entered from the other inn. His greeting was as hearty: 'Welcome, good cousin, out of Wales;' and then followed some moralising congratulations, in Gloucester's peculiar style, on the happiness he felt at the peace and good will which pervaded the times and people in general. Rivers was utterly deceived by the apparent frankness and condescension of these great princes of the blood, whom he expected to find rudely repulsive.

"Gloucester invited Rivers to supper at his quarters. After the meal, the cups passed quickly and merrily, and assumed the semblance of a revel in the old military times of Edward IV. Ever as the cup was pushed to Gloucester, he pledged Rivers, saying, 'I drink to you, good coz.' The two dukes kept their wits in working order, but Rivers was so overcome, that at the end of the revel he was led to his inn between both his boon companions. The dukes left him in his bedroom, wishing him many and affectionate good nights. There is no doubt but they had extracted information from him sufficient to guide their manœuvres for the morrow. Certainly, the conduct of Rivers, considering the precious charge he had, was inexcusable. The moment Rivers was asleep, the two dukes called for the keys of his inn, locked the gates, and, appointing sentinels, forbade anyone to enter or depart. The rest of the night was spent by them in arrangements of military strategy. They stationed, at certain intervals, men-at-arms, form-

ing a lane. Many country people remembered, for many years, how the troopers blocked up the highway to Northampton, and turned them back from market. The two dukes were early as any one on the road to Stoney Stratford. There they were joined by a third person, who, notorious carouser as he was, had certainly kept back from the orgie of the preceding night. This third making up their triumvirate, had hitherto worked successfully for their plans. He and Rivers were most deadly enemies. He came to enjoy the overthrow of the man he hated, and to take official charge of his young royal master. The third person in the plot was Lord Hastings, the King's Lord Chamberlain. While the cavalcade was approaching Northampton, the servants of Lord Rivers began to stir for the morning and found that the inn was locked, and all within were prisoners, closely guarded. They woke their master—whose sleep was heavy after his revel—by coming to his bedside with exclamations of alarm, telling him, 'the dukes had gone their way, and, taking the keys of his inn, had left him prisoner.' So completely was Rivers deceived that he supposed his princely boon companions were playing out a jest, and had taken this method of ensuring their earlier arrival at Stoney Stratford.

"By the time he was dressed, Gloucester and Buckingham returned. They were desirous of acting out their parts as speedily as possible, and therefore admitted Rivers to their presence. 'Brother,' exclaimed he, merrily, to Buckingham, 'is this how you serve me?' The reply was in a different tone. Indeed, according to the poetical chronicler, Buckingham,

'Stern in evil sadness,
Cried, 'I arrest thee, traitor, for thy badness."

"'Arrest!' said Rivers, 'why, where is your commission?' Buckingham instantly flashed out his sword, and all his party did the same. Oppressed by numbers, Rivers surrendered without further resistance, and was forthwith put under guard in a separate chamber from the prisoners previously seized at Stoney Stratford."

As may naturally be supposed, this arrest was the prelude of Rivers' execution. On Lord Rivers' unhappy decease, he was succeeded in all his honours, but the barony of Scales, by his only surviving brother, Richard Widville, third Earl Rivers. This nobleman, the last of the male line, died unmarried in 1491. By his testament, bearing date 20th February, 1490, his lordship directed his body to be buried in the Abbey of St. James, in Northampton. He bequeathed to the parish church of Grafton all such cattle as he then had at Grafton, viz., two oxen, five kine, and two bullocks, to the intent that they should yearly keep an obit for his soul, and he appointed his nephew, Thomas, Marquess of Dorset, his heir, to whom he devised all his lands whatsoever; desiring that there might be as much underwood sold, in the woods of Grafton, as would purchase a bell, to be a tenor to the bells already there, for a remembrance of the last of his blood. Upon the decease of his lordship, the Barony and Earldom of Rivers became extinct. This last Earl Rivers was a Knight of St. John of Jerusalem. Much light is thrown

on that fact by the following communication from an esteemed correspondent:*—

"I take this opportunity of offering you some information on a different subject, which may probably interest you as an antiquary and genealogist, and which, perhaps, you may think with me, will help to solve a problem that has often puzzled me, namely, why Richard

* My correspondent gives me, in another letter, a good deal of information about the Order of St. John, which may perhaps be introduced not inappropriately here:

"Regarding the English branch of the Order of St. John of Jerusalem, I may add a few particulars. The history of the extinct langue of England, before the dissolution of religious houses by Henry VIII., is sufficiently known, and is, in fact, mixed up with the history of the Order in General, but from the year 1540, when the last Lord Prior died, and the Priory became thereby extinguished, down to the present day a good deal of interesting information is to be found in the archives at Malta, for it is a curious fact that although the 'Tongue' was abolished, the connexion of English gentlemen with the renowned brotherhood has never ceased, for knights of our country have been received, few, certainly, and far between, but quite sufficient to keep up the chain, unbroken, from that time to the days in which we live. At the most unlikely periods there has never lacked, at least, one English cavalier to represent what was once, according to Rosio, the very noble, rich, and powerful langue of England. During a rather long residence in Malta, I made an abstract of every bull connected with the English 'Tongue' that had issued from the Chancellerie of the religion from the first quarter of the 14th century, when the 'Libri Bullarum' commence, down to the year 1798, when the Order was driven from Malta by the French. I have, also, had the good fortune to recover from the obscurity and oblivion in which they have so long reposed, the names of nearly a thousand members of the Order, English, Irish, and Scotch, from the first foundation of the Order down to the present day, and to recover the *real* names of those mentioned by the historians of the Brotherhood, but under sadly mutilated shapes.

"In Major Porter's 'History of the Knights of Malta,' you will

Widville, *last* Earl Rivers, who held that title for a quarter of a century, *never married* to continue his family, the extinction of which he laments in a tone of such pathos in his last will and testament.

"Residing for a considerable time in Malta, I amused myself with extracting from the records and archives of the Order of St. John of Jerusalem, preserved there, everything connected with the ci-devant English branch

find (vol. ii., p. 280) a pretty correct, and certainly unique list of the Priors and other dignitaries of England, Ireland, and Scotland, which he had from me, one which he acknowledges in his preface. I have since been able to greatly improve these lists.

"I am sorry to say that nothing more is to be found regarding the last Earl Rivers, in the archives of the Order, beyond what I have already mentioned to you. There are many other curious things to be had from the same source, curious to a genealogist; for instance, there are two bulls, dated the same day, 26th March, 1517, granting permission to wear the golden cross of the Order to Thomas Stanley, second Earl of Derby, his wife, and eldest son; and also to Charles Somerset, first Earl of Worcester, his wife, and eldest son; each signed by the Grand Master of Rhodes, Fabrizio Caretto. There is also a curious bull granting right of succession to the Priory of Torpichen (Scotland), on the death of Sir William Knolles, to Robert Stuart d'Aubigny, on condition of taking the habit of the Order, as the said Robert Stuart was a layman at the time of the bull being issued. He is called by the commissioners empowered to receive his proofs of nobility, *nephew* of the Lord Bernard Stuart d'Aubigny, Constable of France. This is an interesting fact, as no such person as this Robert appears in any pedigree of the d'Aubigny Stuarts that I have seen; the bull is dated 17th March, 150½. I have reason to think him the same Stuart d'Aubigny, who, according to the historian, was engaged in the unhappy attempt to recover Rhodes, while the head-quarters of the Order were at Viterbo, and was massacred there; but Goussancourt in his 'Martyrologie' calls him, I think, *Gilbert* Stuart d'Aubigny, and not *Robert*, but Goussancourt has numerous mistakes of this nature to answer for.

"JOHN JAMES WATTS,
"of Hawkesdale Hall, Cumberland."

of that renowned fraternity. Among other matter most interesting, I met with a petition from Richard Widvile, dated shortly after the period of the catastrophe at Pomfret, the decapitation of his eldest brother, and addressed to the Grand Master of Rhodes—John Ursino—stating that he, the petitioner, albeit a young man, had lived long enough in the world to experience the hollowness and uncertainty of everything connected with it, and to become thoroughly disgusted with it. He had seen the total ruin of his family, and every thing and person most near and dear to him; and wishing to devote the rest of his life to the service of God, in the habit of some religious order, he prayed the Grand Master to receive his profession in the brotherhood of the Hospital of St. John of Jerusalem.

"Then follows a bull from the said Grand Master to the Lord Prior of St. John in England, Sir William Tornay, directing the said Grand Prior, because of the eminent merits and good disposition of the said Richard Widvile, and more especially because of his illustrious parentage, paternally and maternally, and particularly on account of his near connection with the Royal House of England, to receive him, the said Richard Widvile, as a professed Knight Hospitaller of St. John of Jerusalem, with as little delay as possible.

"I conclude, from all this, that the last Earl Rivers lived and died a professed Knight of Rhodes, and consequently cœlebs.

"As no genealogist or historian, however, noticed this curious fact, I take it for granted it lies buried in the archives of the Order of Malta, and is entirely unknown."

Such were the vicissitudes of most of the once proud name and royal race of Widville; and when one contemplates their elevations and their falls—their successes ever ending in reverses,—their dignities ever akin to decay, and ever fading into naught—one inclines to admit the assertion of the poet, that "graves only are men's works, and death their gain."

Testamentary Eccentricities.

"Is not this a lamentable thing, that of the skin of an innocent lamb should be made parchment, that parchment, being scribbl'd o'er, should undo a man?"—SHAKESPEARE.

THE stream of active anxious life that, on every week day in the year, from the rising to the setting of the sun, flows round St. Paul's Churchyard, is something marvellous—marvellous not only for its vastness, but also for the incongruous elements of which it is composed. On foot, jostling along the pavement; in exclusive brougham or vulgar 'buss; in rapid "Hansom" or slow going "four-wheeler," the crowd moves on, "to or fro the City." *Labitur et labetur in omne volubilis ævum.*

Now and then, a few as they approach the corner near to Dakin's tea-shop fall out of the current; sometimes a spruce bashful bachelor, with thoughts on marriage licence intent; sometimes a widow with a little boy by the hand, seeking to administer to the dead husband and father; then a smart or seedy attorney's clerk, with ominous law papers under his arm, and then a would-be legatee, bent on ocular demonstration of his good or bad fortune; occasionally, perchance, a genealogical explorer like myself, or more frequently an inveterate Paul Pry eager to gratify his curiosity about his neighbours' and friends' affairs. These stragglers pass under a quaint old archway or gatehouse, on the right hand going from Ludgate Hill, which leads into a dismal looking district—

its silence in remarkable contrast with the noise and bustle without. This gloomy locality is no less important a place than famous, but now partially destroyed DOCTORS' COMMONS—a locality associated with the brightest and saddest events of man and woman's career—a locality of which the marriage joy bell and the funeral knell are alike emblems. But we must not moralize: let us at once enter the long, dark, inconvenient, narrow apartment called the WILL OFFICE, and read, not "the simple annals of the poor," but the complicated records of the rich.

We may search, far and wide, through history and romance, before we read anything half so strange or half so absurd—I might say half so cruel—as is to be found in these archives of Doctors' Commons. Any person may satisfy himself who chooses to pay for the conviction. The sum is not much, only a shilling stamp—being, I suppose, a symbolical tax, a type of the solitary shilling with which elderly gentlemen disinherit their children, by way of shewing that they die in all Christian charity and forgiveness! But indeed it is hardly to be conceived what a spite the dead bear towards the living; or, to be quite correct, I should rather say, what a spite the dying bear towards those of their own family, for it is more particularly against near relatives that these posthumous thunders are directed; towards mankind in general a testator of this kind is all benevolence; he loves not his son nor his daughter, his nephew nor his niece, but his heart overflows with affection and charity for strangers, and he builds museums, or endows hospitals, or gratifies genealogical pride, and starves his kith and kin!

It is a favourite maxim that a man can do what he likes with his own, "the law allows it, and the court awards it;" but, is not this a fallacy? A man's life is surely as much his own as his farm in Kent, or his investment in the funds, yet the law does not sanction or permit suicide. Now it seems to me that the prohibition in the case of life might be extended to the case of property. The unlimited control which the law of England gives to a testator should be restricted. Property and the rights of those to whom, in the course of things, it ought to come, should, to some extent, be protected. At present, whatever caprice or bad feeling, or prejudice may dictate, it is in the discretion of a testator to do. In many instances he may alienate to utter strangers the long inherited lands of an ancient family; he may enrich his mistress and pauperize his heir; he may found a public museum and leave his son to starve. This great question of wills, the unlimited power of making them, the negligence with which they are kept, and the right of a man, when dead and gone, to continue still to control succession, is one well worthy of public attention and parliamentary interference. But in times of public excitement, the still voice of social reform—like the voice of conscience—is little heeded. Amid the din and struggles of contending parties, domestic legislation gives way to political, and social improvements are scarcely thought of. The additions made by Parliament to the appliances of our everyday existence, during the calmer period of the last forty years, have been prodigious. This generation has need to be grateful: the railway, the penny postage, the cheap newspaper, the bright sunshine and the

free air let into our houses by the repeal of the window tax, the cheerful gas which has not only lighted but reformed our streets, the embankment of our grand old river, and a thousand minor augmentations of our enjoyments date not much further back than the boyhood of those, who are just passing the meridian of life. Nor should we forget how much Prince Albert had to do of late years with the improvement and decoration of domestic interiors. A great deal has indeed been done, but more remains to be accomplished. The Augean stable is not yet cleansed.

In a former chapter I have dwelt on the laxity with which wills are kept before they reach official custody; on the evils arising therefrom, and on the simple means of remedy. But this other and still more important question remains to be discussed:—Cannot the present power of a testator—a power, be it remembered, without restraint or appeal—be beneficially controlled or qualified, as in France, by some special code or enactment? Many and many a family vicissitude has arisen from the unrestrained control a man is thus permitted to have over his property after death.

The subject of wills is full of interest, but far too extensive for more than a passing illustration here. A few facts from the notes I have collected, and from suggestions of my excellent friends Lord Gort and James Holbert Wilson, are all my space will permit, and these shall be selected from modern instances, rather than from the curious but somewhat dry details of "testamenta vetusta."

Recent instances of testamentary eccentricity abound,

and examples need not be sought in the more ancient records of Doctors' Commons.

In the modern portion of that interesting depository occur startling revelations of misers who walked in rags, and died like paupers, leaving countless stores to relatives they scarcely knew; of fathers who have cut off with a shilling innocent or repentant sons; and of false philanthropists who have devoted to works of charity the wages of iniquity. There too is the will of the old Lord who endeavoured to coerce the Crown in the disposal of titles of honour; of the wealthy General, of a more democratic tone of mind, who stipulated that any one of his daughters who married a Peer should forfeit her share of his riches; and of the learned Judge who disinherited his daughter in case she married an Irishman, and especially an Irish lord. Then there is the Twickenham gentleman's testamentary injunction couched in flowing verse;* and the will of the Swiss

* The first codicil to the will of Nathaniel Lloyd, of Twickenham, in the county of Middlesex, Esq., is in verse; it begins:

My good executors fulfil,
I pray ye, fairly, my last will,
With first and second codicil:
And first I give to dear Lord Hinton,
At Twyford school, not at Winton,
One hundred guineas for a ring,
Or some such memorandum thing;
And truly, much I should have blundered,
Had I not given another hundred
To Vere, Earl Poulett's second son,
Who dearly loves a little fun.

And proceeds in similar doggerel to give other legacies.

This rhyming document was proved with second codicil, 11th April, 1774, by the oaths of the Right Honourable Vere, Earl

refugee who tied up his fortune in the vain hope that it might accumulate to millions upon millions. Doctors' Commons has besides on record the genealogical bequest of the proud representative of the English branch of the grand old race of Harcourt, who enriched the Norman chief of his House, although their ancestors had separated seven hundred years before; and also the devise in 1772 by Lord Berkeley of Stratton of his valuable estates—including, I believe, Berkeley Square and Stratton Street, Piccadilly—to Earl Berkeley. His Lordship's apology for thus disinheriting his next heirs, the noble house of Wodehouse, is thus expressed:—"This I do, being the last male heir of my family, desirous of nourishing the root from which it sprang, and wishing the stock may continue to flourish and send forth new branches as long as any civil government subsist in this country." And then, within the last few years, is the remarkable will of a trader's descendant, who, from a fanciful notion that he belonged to an illustrious race, bequeathed to the noble house, with which he imagined himself connected, property worth £12,000 a year.

In Doctors' Commons too is many a sad memorial of death-bed animosity, of children disinherited, of parasites promoted, and of families destroyed—enough to form volumes of striking interest. But my limited space confines me to the following few examples:—

The succession to Ashridge, Herts, and the other

Poulett, formerly the Honourable Vere Poulett, and James Henckell, Esq., the executors.

vast estates of the EARLS OF BRIDGEWATER gave rise to one of the most curious of our causes célèbres. In 1823, John William, 7th Earl of Bridgewater, made a will, by which he bequeathed property, which has been estimated at about £2,000,000 to the then Lord Alford, on condition, that, if the said Lord Alford should die without having attained the rank of Marquis or Duke, or should not have attained either of those dignities within five years after he should have become Lord Brownlow, the property was to go to his brother, the Hon. Charles Henry Cust, subject to the like term. Lord Alford died in the year 1851 without having attained the dignities in question, and then arose the point, "was his brother or his son entitled to the estate?" On the one side it was urged that the late possessor being dead, without having obtained the stipulated grade, his descendants had thereby incurred the penalty of forfeiture. To this it was replied, that only one year having expired, the matter must as yet be considered doubtful. Both parties appealed to law, and law in its court of highest appeal—the House of Lords—decided that the condition, being contrary to the principles of the English constitution, and one which the devisee had no legitimate means of controlling, should be passed over, and the will read without it. This judgment confirmed the youthful Earl of Brownlow (Lord Alford's son) in the estate.

The judgment of the Lords in this great case was in opposition to the opinions of the majority of the Judges of the land who had been summoned to assist by their advice. Those learned personages, interpreting the law by purely technical reasoning, maintained that the

condition was valid, but the Lords adopted a more expansive view, and protected the Peerage from the danger with which it was threatened. If the decision had been confirmatory of the old and eccentric Lord's requirement, any millionaire, however lowly born, might attach to the inheritance of his estates some such condition as that attempted to be imposed by the Earl of Bridgewater.

Juvenal's lines—

> "Stemmata quid faciunt? Quid prodest, Pontice, longo
> Sanguine censeri, pictosque ostendere vultus
> Majorum?"

are readily answered at Doctors' Commons. Let us select one or two examples:—

Beriah Botfield, Esq., M.P., of Norton Hall, in the county of Northampton, and of Decker Hill and Hopton Court, in the county of Salop, died 7th August, 1863. His personalty was sworn under £200,000, and his income was popularly estimated at £40,000 a year: he possessed a great taste for genealogical pursuits, and compiled, for private circulation a splendid quarto volume, entitled "Stemmata Botevilliana." In this work he gives memorials of the ancient house of Botteville (of which the Marquis of Bath is a direct descendant), and with it endeavours, inferentially but without evidence, to connect his own ancestry. Not long before his death, actuated solely by genealogical regard and by a feeling of pride in what he considered to be the origin of his family, he devised his estate, park, and mansion of Norton Hall, with Buckley Manor, &c.,

to the second son, and each subsequent son in tail male, according to priority of birth, of the fourth Marquis of Bath. The Marquis is described in the Will as "ex antiquâ Botevillianâ familiâ oriundus." Truly it may be added "stemmata quid faciunt?"

Another instance of the advantages of pedigree occurs in the will of WILLIAM, last EARL HARCOURT, who died in 1830. That nobleman was the lineal descendant and male representative of the great and historic house of Harcourt of Stanton Harcourt, founded in England in the 12th century by Ivo de Harcourt, brother of Robert d'Harcourt, Seigneur d'Harcourt in Normandy, ancestor of the Ducs d'Harcourt in France. The two lines, Harcourt of Normandy and Harcourt of England, thus became separated seven hundred years ago! Nevertheless when the last representative of the English branch, William, Earl Harcourt, was making his final testamentary arrangements, his thoughts turned to the source from which his lineage originally sprung, and he bequeathed to the French Marquis d'Harcourt and his heirs male, not only the beautifully situated estate of St. Leonard's Hill, overlooking regal Windsor, but also a sum of £80,000 to be laid out in land, to increase the property. His Lordship required, however, that each inheritor should not be absent from England more than six months at one time, unless engaged in the civil or military service of Great Britain.

Family pride does not enter into my next illustration. About thirty-two years ago there died an old miser well known as JAMES WOOD of GLOUCESTER. He had been for many years a draper and banker in that city,

as his father and grandfather had been before him, and had kept the Gloucester old bank—long an institution of the county. At the date of his death, he had reached his eightieth year, and had lived a long life of parsimony and eccentricity; he was a common-place specimen of penury and avarice, quite of a different stamp from John Elwes, who, though the miser's miserable meanness showed itself in a thousand ludicrous ways to provoke scorn or pity, was not so wholly absorbed by this evil passion, that he did not often give signs of a better feeling. On the occasion when the humour took him, he would lend freely, and in these acts of benevolence he was never known to take advantage of those whom he so obliged; he was besides an active and upright county magistrate, and sat in Parliament for Berkshire. But old Jemmy Wood was nothing but a miser; he had no thought beyond the heaping up of hoards of money, no heart for generosity, no interest in the world's ambition. The story goes that he would ride in a hearse to save a shilling, and even accept alms in the street. At his death his personal property, independently of his real estate, was valued at a million sterling.

The list of the securities he held is quite tantalizing—New 3½ per Cents. £333,098, Reduced 3½ per Cents. £181,000, New Annuities £66,221, Consols £57,500, Bank Stock, £52,000, and so on. Old Wood never married, his only sisters predeceased him; and at the period of his death, his nearest of kin were two second cousins, Mrs. Elizabeth Goodlake and Mr. Edward Hitchings. On the night of the old man's death, Mr. Phillpotts, an intimate friend, in company with

Mr. Osborne, one of Mr. Wood's clerks, proceeded up stairs to the lobby, adjoining the room where the deceased usually slept, and from a bureau (the key of which was in Mr. Osborne's possession) a sealed packet was taken out, in which were found two sheets of paper bearing date the 2nd and 3rd of December, 1834, which disposed of the deceased's property; the paper of the 2nd of December signed, but not attested, requests his friends Alderman Wood, M.P., of London, John Chadborne of Gloucester (his attorney), Jacob Osborne of Gloucester and John Surman (his two clerks) to be his executors; and desires that they should "retain to themselves all the personal property subject to debts and such legacies as he should afterwards direct." The second paper dated the day following, was executed by the deceased in the presence of three witnesses, and purported to dispose "of all the estate real and personal, and to give it to his executors, and their heirs in equal proportions, subject to his debts, and to any legacies and bequests he might thereafter make." This was therefore a complete disposition of his whole estate to his "executors," those executors not being named in this particular paper. On the 4th of June following, the Prerogative Court of Canterbury granted administration of the effects, pending suit; but in a few days after, an event occurred which gave a different complexion to the whole case. On the 8th of June, Mr. Thomas Helps of Cheapside, London, received through the threepenny post, a letter, anonymously sent, which was found to contain a codicil to the will of Mr. Wood, together with a memorandum in pencil to this effect: "The enclosed is a paper saved out of

many burned by parties I could hang: they pretend it is not J. Wood's hand: many will swear to it. They want to swindle me. Let the rest know."

This codicil was in these words:—"In a codicil to my will, I gave the Corporation of Gloucester £140,000. In this I wish my executors would give £60,000 to them for the same purpose, as I have before named. I would also give to my friends Mr. Phillpotts £50,000, and Mr. George Council, £10,000, and to Mr. Thomas Helps, Cheapside, London, £30,000, and Mrs. Goodlake, mother of Mr. Surman, and to Thomas Wood, Smith Street, Chelsea, each £20,000, and Samuel Wood, Cleveland Street, Mile End, £14,000, and the latter gentleman's family, £6,000, and I confirm all other bequests, and give the rest of my property to the executors for their own interest.

"JAMES WOOD.

"Gloucester City Old Bank, July, 1835 (Indorsed) Codicil to my Will."

On the production of this mysterious communication, the Corporation of Gloucester offered a reward of £1,000 for information of the person by whom it was sent to Mr. Helps, and another of £1,000 to whoever should produce the codicil containing the bequest of £140,000 therein referred to; but these rewards produced no result; the mystery remains unsolved to this day. There now commenced the litigation in the memorable case "Woods and others *v.* Goodlake, Helps, and others," which lasted several years. I will not weary my readers with the dreary details of the lawsuit. At length, in 1840, Sir Herbert Jenner, in a very learned and elaborate judgment,

which occupied more than six hours in the delivery, decided against the testamentary papers. As to that of July, 1835, Sir Herbert referred to the extraordinary manner of its production, and, commenting on that circumstance, as well as the non-appearance of the transmitter of the paper, notwithstanding the large rewards offered, considered there was nothing to support the document but the evidence of handwriting, and rejected it altogether. An appeal from this decision was immediately lodged by the proctors for the executors, and the case was again heard by the Judicial Committee of the Privy Council. Corroborative evidence was received; and on the 16th of August, 1841, Lord Lyndhurst pronounced their Lordships' judgment in favour of the papers, thus reversing the decree of Sir Herbert Jenner. The effect of this final judgment was to confirm the bequests to the Corporation of Gloucester and the other legatees named in the mysterious codicil, and to give to Sir Matthew Wood, Mr. Osborne, Mr. Surman, and Mr. Chadborne's representatives about £400,000 to be divided amongst them.

Can any illustration of the laxity allowed in the custody of testamentary papers be more remarkable than this? Documents were produced and admitted, coming from an unknown source, and accompanied by assertions that other similar testamentary papers had been purloined and destroyed!

To afford one more proof of the urgent necessity of a speedy compulsory registration of wills, there is the singular case of the pretended will of the Rev. JOHN CLAVELL, rector of Churchknowle, Dorsetshire, and

representative of the ancient and eminent family of Clavell of Smedmore, in the Isle of Purbeck. Mr. Clavell, an aged and feeble man, died in 1833, and his heirs advertised for his will; some months after which his housekeeper's daughter suddenly produced a will, which she said he had dictated to her, and which gave all the property to her intended lover, a tenant and common man, named Barnes. This will was a forgery; and fortunately there was evidence sufficient to show it to be so; but not till after a trial of ejectment brought by the co-heirs. The late Colonel Mansel, husband of Mr. Clavell's niece, took an active and energetic part in the proceedings. The trial occurred before Lord Denman, at Dorchester, in 1834, and lasted four days. The jury, by their verdict, invalidated the will, finding, in fact, that it was the result of a conspiracy between the housekeeper, her daughter, and Barnes, the bailiff and tenant of Mr. Clavell, and Barnes's brother. Against such a will as this, speedy compulsory registration would have been an immense protection.

There is something very honorable in the succession to property bequeathed in esteem and recognition of public services or private worth.

By a codicil to her will, dated Aug. 12th, 1744, two months before her death, Sarah, Duchess of Marlborough, left WILLIAM PITT, the great Minister, £10,000 for "the noble defence he had made for the support of the laws of England, and to prevent the ruin of his country." Walpole, in a letter to Conway, thus alludes to another devise to Pitt: "You have heard, to be sure, of the great fortune that is bequeathed to Mr. Pitt by a Sir

William Pynsent, an old man of near ninety, who quitted the world on the peace of Utrecht, and, luckily for Mr. Pitt, lived to be as angry with its pendant, the Treaty of Paris. I did not mention the first report, which mounted it to an enormous sum. I think the medium account is £2,000 a year and £30,000 in money."

Within our own time, a very few years ago, a similar recognition of a distinguished statesman has occurred. By a WILL, dated November, 1857, and proved December, 1863, Mrs. Sarah Willyams, of Mount Braddon, Torquay, widow of Colonel James Brydges Willyams of Carnanton, Cornwall, and daughter and heiress of MENDEZ DA COSTA, a Portuguese gentleman, left a handsome fortune to the Right Honourable Benjamin Disraeli, M.P., solely "in admiration of Mr. Disraeli's efforts to vindicate the race of Israel, and in approval of his views and opinions on the subject;" and the testatrix expresses a wish that Mr. Disraeli should obtain Her Majesty's permission to take the names and arms of the families of Lara and Mendez da Costa in lieu of or precedent to the surname and arms of Disraeli.

The immediate founder of the noble house of Barrington was JOHN SHUTE, Esq., a barrister, to whom Mr. Wildman, of Becket, in Berkshire, although no relative, and but a slight acquaintance, bequeathed his estate, declaring that the only reason he had for making Mr. Shute his heir was that he considered him the most worthy, of all he knew, of adoption, after the manner of the Romans, a mode of settling property of which he always approved.

The late SIR HARRY JAMES GOODRICKE, seventh

Baronet of Ribstone Hall, Yorkshire, who inherited not only his paternal estates, but likewise the large Irish property of the Fortescues Lords Clermont, was said to have had £30,000 a year. His mania was hunting. He was a leading member of the Quorn Hunt, and became Master, on the retirement of Lord Southampton. He kept the whole of the establishment at his own expense, and on the day of his death seventy-five hunters were in his stables ready to commence the next season with renewed vigour and spirit. But man proposes and God disposes. He caught a cold, otter hunting, and died at the early age of 36. His Irish property devolved on Thomas Fortescue, Esq., since created Lord Clermont, but his extensive unentailed estates, Ribstone Hall, in Yorkshire, and a large personalty, he bequeathed to a mere hunting acquaintance, Mr. Francis Lyttelton Holyoake, junior, a clever rider and keen sportsman, on condition—if I remember rightly—that he should keep up the Quorn pack. Mr. Holyoake assumed, in consequence, the additional surname of Goodricke, and was created a baronet.

As a contrast to this bequest is the following clause from the WILL of the celebrated LORD CHESTERFIELD:—"In case my godson, Philip Stanhope, shall at any time hereafter keep, or be concerned in the keeping of any race horse, or pack of hounds, or reside one night at Newmarket, that infamous seminary of iniquity and ill manners, during the course of the races there; or shall resort to the said races, or lose in any one day at any game or bet whatever, the sum of £500, then, in any of the cases aforesaid, it is my express wish that he, my said godson, shall forfeit and pay out of my estate

the sum of £5,000, to and for the use of the Dean and Chapter of Westminster."

Here is another curious instance of a stranger's regard :—

Dr. George Pretyman was William Pitt's tutor at Cambridge, and in the year 1803, being then Bishop of Lincoln, received a considerable landed property bequeathed to him by a stranger, MR. MARMADUKE TOMLINE, of Riby Grove, Lincolnshire, in recognition of his having been the guide and instructor of the great Minister.

Misdirected benevolence often influences a testator, sometimes with disastrous results. In a debate in the House of Commons, 4th May, 1863, Mr. Gladstone, then Chancellor of the Exchequer, gave a remarkable instance, when referring to the JARVIS CHARITIES. This is the statement of the right hon. gentleman :—

" Mr. Jarvis died in 1793, and left about £100,000 for the poor of three parishes in Herefordshire, to be given in various ways :—for physic, clothing, food, and so forth; but there was one thing to which he had a particular aversion, he absolutely forbade building. That was expressly prescribed by the terms of his gift. I suppose his idea was to supply the current wants of the poor. The population of these three parishes, at the first census after Jarvis's death, taken in 1801, was 860, and in 1851 it was 1222. What was the reason of this increase? Had employment increased? No. Had trade come? No. Had manufactures been established? No. Wages were not higher—they were lower by 2*s.* a-week. Were the dwellings good? No; they were the most miserable and scandalous that disgraced any part of the country. The people went there naturally

enough to wait for the doles; for the gifts which, by Jarvis's mistake and misguided benevolence, were distributed to them, pretty nearly doubled the income of the agricultural population of these parishes. The morals, too, of the localities were such that they were forbidden to be described. In 1852, an Act of Parliament was procured to place this particular charity on a better footing; but a great portion of the evil is still left in full force and vigour. The funds are still limited to the same three parishes. The remedy devised was: They desired to have the power to lay out £30,000, or nearly one-third of the whole sum, in the very thing, and the only thing which old Jarvis forbade, viz., in building. They are going to build a boarding school for the children of the labouring population of these three parishes. The real meaning of this is, that the money of old Jarvis, supplemented by the money of the State, improvidently and unjustly taken from the pockets of the ratepayers for the purpose, has grown to such a height, that the trustees are driven to their wits' ends to know what to do with it; and they have entered into an immense deal of unnecessary building, because, like sensible men, they felt in that way, if it did no good, it would be doing little harm."

The THELLUSSON WILL originated a special Act of Parliament.

Peter Thellusson, son of Isaac de Thellusson, Ambassador from Geneva to the Court of Louis XV., fixed his abode in London, about the middle of the eighteenth century, and accumulated, as a merchant there, a very considerable fortune.

By his will, Mr. Thellusson, after bequeathing large fortunes to his three sons, devised the rest of his property, consisting of lands of the annual value of £4,500, and £600,000 in personal property, to trustees, in trust, that they should receive the rents, interest, and profits, and dispose of them for the purpose of accumulation during the lives of his said three sons, and the lives of all their sons, who should be living at the time of his death, or who should be born within due time afterwards, and during the lives and life of the survivors or survivor of them; and then he directed that after the decease of such survivor, the accumulated fund should be divided into three shares, and that one share should be conveyed to the eldest male lineal descendant of each of his three sons, and upon the failure of such a descendant, that share to go to the descendants of the other sons; and upon failure of all such male descendants, he gave all the accumulated property to the use of the Sinking Fund.

This extraordinary Will gave rise to a long and learned discussion in the Law Courts, and the Judges before whom it was tried determined that the period of accumulation was within the prescribed limit of executory devises, as the several lines were wearing out together, like so many candles burning at once, and therefore they decided in favour of the validity of the will, a decision affirmed in the House of Lords, 25th June, 1805.

An Act of Parliament was, however, subsequently passed, to interdict in future any accumulation of property so devised beyond the term of twenty-one years after the decease of the testator.

The date of Mr. Thellusson's death was the 21st of July, 1797. At that period, his three sons, Peter-Isaac, George-Woodford and Charles, were all living; of these the eldest Peter-Isaac, created Lord Rendlesham in 1806, was the father of four sons, also alive, or born within the prescribed limit; and the youngest, Charles, had a son, Charles, born to him on the 31st January, 1797. The second son of the testator, George-Woodford, had daughters only. We thus find, that the period of accumulation became limited to the lives of the first Lord Rendlesham and his four sons, and to the lives of Mr. Charles Thellusson and his son Charles. The last survivor of the four mentioned sons of the first peer, viz., Frederick, fourth Lord Rendlesham, died 6th April, 1852, and Charles Thellusson, Esq., the son just named of Mr. Charles Thellusson, died 5th February, 1856. At their decease, the accumulated fund (which, however, had not increased to any marked extent), was divided between Frederick-William-Brook, the present Lord Rendlesham, and Charles-Sabine-Augustus, Mr. Charles Thellusson's eldest son.

Sir John Soane, the architect, died, possessed of great wealth, in 1837, having founded at an expense of £120,000, the Soane Museum, in Lincoln's Inn Fields, which he bequeathed in trust for national purposes, and the gratification of the public. To his son, George he showed an animosity only equalled by that which Dr. Johnson has so eloquently recorded, of the Countess of Macclesfield to her offspring, the poet Savage. Sir John left to this son George Soane, whom he had caused to be educated at the Uni-

versity of Cambridge, and brought up with suitable expectations, forty pounds a year! George Soane, who was a man of ability and learning, endeavoured to support himself and his family by the exercise of his pen, and became a dramatic author of some celebrity. But ill-luck tracked him in all his efforts, and when old age crept on, and the hand that guided his pen became feeble, his case was truly pitiable. At times he was reduced to absolute want. On one occasion, when all else failed him, he was recommended to apply for the office of Librarian or Custodian of his father's Collection, which office was endowed with a few hundreds a year; but here again, Sir John Soane's Will was against him. It prohibited his son's appointment.

Poor Soane is now dead, and, whatever may have been the errors and follies of his early career, he made atonement by thirty or forty years of the bitterest suffering. Not very long before his earthly miseries ended, he printed a piece of autobiography, entitled "Facts connected with the Life of George Soane, A.B." It is a sad memorial of the sorrow and wretchedness the unrestricted power of a testator may inflict on his own child. George Soane's autobiography thus concludes:—"I write not in malice, not in revenge for the wrongs of a whole life, but in my own defence, and in justice to my children—Suum cuique tribuito. * * * My father's rancour has been the deadly Upas-tree, spreading its noxious shade over me, and blighting every prospect, every effort I have made for the benefit of those who are in nature nearest and dearest to me. I must once more take leave to ask, will this great nation do nothing for the family, whose natural inherit-

ance it is enjoying? Will it leave the immediate descendants of Sir John Soane to starve, while it quietly devours the food of those descendants? I believe that the wrong only requires to be known, and it will be redressed: in which conviction I throw myself upon the justice, the liberality, and the Christian spirit of my countrymen; reminding them only, that if ten times more could with truth be brought against me than really can, yet 'Joy shall be in heaven over one sinner that repenteth, more than over ninety and nine just persons.'"

Not quite a hundred years ago, MR. ROBERTS, an Irish gentleman of small fortune, was posting from Holyhead, or Chester, to London, and was dining at a small roadside inn, when the Duchess of St. Albans arrived. Her Grace, it must be remembered, was Jane, daughter and heiress of Sir Walter Roberts, Bart., of Glassenbury in Kent. The only available sitting room in the inn was occupied by Mr. and Mrs. Roberts, and the only horses for continuing the journey were those engaged by Mr. Roberts. The Duchess, whose rank was unknown, asked leave to join the other travellers, and was, of course, at once invited to do so. Whilst at dinner it was announced that the only horses were those just come round with the gentleman's carriage. But Mrs. Roberts, who had been charmed with the affability of the Duchess (whose rank her maid had betrayed) insisted on her husband giving up the horses to her Grace, who was unattended by a gentleman, and should not be forced to spend the night in so lonely a place.

Mrs. Roberts ran to the door to order the horses to be unharnessed, and the Duchess followed to prevent her too courteous endeavours, when, to her Grace's extreme surprise, she saw the arms of her own family, Roberts of Glassenbury, painted on the carriage panels. Explanations followed, their family name was found to be the same, and an intimacy commenced. Kindred was supposed to exist, and, though the pedigree was never clearly worked out, the Duchess when she died, in 1778, left her estates by will to Mr. Roberts, who was created a baronet in 1809.

The vicissitudes in the title of CAITHNESS have been remarkable. In one hundred and thirteen years four collateral branches came to the succession. The KEISS line gave one Earl in 22 years, MURKLE two in 67 years, RATTER two in 24 years, and MEY (still prospering in honour and esteem) three in 79 years. Owing to the ruin of the elder line, none of these four families had more estate than what belonged to each separate branch. This result might have been altered but for a malicious will, I will briefly refer to.

Alexander, ninth Earl of Caithness, was an old recluse, living in the small house of Hamer, near Murkle, on the sea coast of Caithness. He had no son, and the recognised heir male to the title was William Sinclair, of Ratter. The Earl was displeased at his only daughter, Lady Dorothea, for marrying, against his wish, James, second Earl Fife, whom he detested. One day, so runs the story, William Sinclair, of Ratter, called at Hamer to pay a visit, but the old Earl was not at the moment ready to receive him, and detained the visitant

a considerable time waiting. Becoming impatient, Ratter gave utterance to some sharp remarks on the want of courtesy of his chief, which were carefully and promptly retailed by an old servant to the Earl, who vowed he would be avenged. His resentment led to an immediate alteration in his testamentary intentions. His daughter, Lady Fife, and his son-in-law had long since been excluded, and now his cousin and heir presumptive was doomed to share the same fate. In his perplexity and irascibility the old Peer bethought him of a namesake and schoolfellow, who was no provable relation as a Sinclair, and settled everything upon him and his family. If they were of the same stock, it was in the 34th degree of consanguinity. Caithness died in 1765, when the title passed to William, tenth earl, and the estates of Muckle, &c., according to the entail I have just alluded to, went away to Sir John Sinclair, of Stevenston, Bart., in East Lothian, and continues with that family, with the Murkle coat of arms.

The performance of impossibilities is sometimes required by testators. John Browne, Esq., of Rathbane, in the county of Limerick, who made his will in 1842, required that his son the Rev. PETER Browne, Incumbent of Blackrod, in the county of Lancaster, should, under penalty of forfeiting a considerable estate, change his Christian name of "Peter" for the Christian name of either "William" or "James." The old gentleman had taken an inveterate dislike to the name of "Peter," from a feeling of animosity he entertained towards the chief of his house; but it was easier to enjoin than effect the alteration:

> "A king can mak' a belted knight,
> A marquis, duke, and a' that;
> But "a Christian name's," aboon his might,
> Guid faith he mauna fa that!"

The perplexed heir knew not what to do: to rid himself of the Christian name he had received at the baptismal font was impossible, to rid himself of the property excessively unpleasant. So, in his dilemma, he did all he could: he applied for the Royal Licence to be allowed to adopt "William" as a prefix SURNAME; and this permission was granted under the Queen's sign manual in 1851.

The late WILLIAM SCROPE, Esq., of Castle Combe, Wilts, and Cockerington, in Lincolnshire, devised his Lincolnshire estate to his distant kinsman Simon Thomas Scroope, Esq., of Danby, in Yorkshire, with a condition, however, that the legatee should spell his surname correctly. The consequence was, that Mr. *Scroope* of Danby obtained the Royal Licence to change his name to *Scrope*. This gentleman is now the head of the illustrious family of Scrope, and claims as such the ancient Earldom of Wiltes. His case has been for some time before the House of Lords.

SIR JEROME ALEXANDER did not belong to the national Irish party. The learned judge who was sent over to Ireland in the reign of King Charles II., made his will in 1670. He seems to have been very rich, and had estates in the counties of Tipperary, Meath, Westmeath, and the Queen's County. His daughter Elizabeth was the chief object of his love and liberality; but he annexes to the inheritance he

leaves her this proviso, that she shall forfeit all, if at any time after his decease she shall "marry any lord of Ireland, or any archbishop, bishop, prelate, baronet, knight, esquire, or gentleman that has come of Irish extraction, or been born and bred in Ireland."

The alienation of BUNNY (the ancestral home of the old family of Parkyns) under the Will of the late LORD RANCLIFFE, forms the subject of a separate chapter in this work; but "the vicissitudes of families," caused by testamentary eccentricities, are so numerous, that they would supply materials for many volumes. My present purpose will be attained if the few instances, I have cited, lead to a fuller consideration of the important questions of Will making and Will keeping.

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